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## Regulations

### TITLE 6—AGRICULTURAL CREDIT Chapter I—Farm Credit Administration

#### PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

##### APPRAISAL FEES FOR PARTIAL RELEASES

Section 24.5 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.5 *Appraisal fees for partial releases.* The following appraisal fees are charged in connection with partial releases, except those for highway purposes:

For appraisals involving less than \$500.....	\$5.00
For appraisals involving from \$500 to \$1,500.....	7.50
For appraisals involving from \$1,500 to \$5,000.....	10.00
For appraisals involving more than \$5,000.....	12.50

In connection with partial releases for highway purposes, a flat fee of \$8.00 is charged, and is deducted from the highway award. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C., 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) [Res. Ex. Com. July 13, 1935; Res. Bd. Dir., June 15, 1942]

The Federal Land Bank of Louisville, acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL]

By E. RICE,  
President.

[F. R. Doc. 42-6633; Filed, July 13, 1942;  
10:14 a. m.]

#### PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

##### APPLICATION FEES FOR PARTIAL RELEASES

Section 24.6 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.6 *Application fees for partial releases.* The following application fees are charged in connection with partial releases, except those for highway purposes, in connection with which no application fee is charged:

Land bank loans.....	\$7.50
Commissioner first mortgage loans.....	10.00
Combined land bank and Commissioner loans.....	10.00

These fees in connection with land bank and combined land bank Commissioner loans do not include the appraisal fee. However, the \$10.00 fee required to be submitted in connection with a Commissioner first mortgage loan does include and is in lieu of the appraisal fee set forth in § 24.5 above. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C., 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) [Res. Ex. Com., December 6, 1936; Res. Bd. Dir., June 15, 1942]

The Federal Land Bank of Louisville, acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL]

By E. RICE,  
President.

[F. R. Doc. 42-6631; Filed, July 13, 1942;  
10:14 a. m.]

#### PART 29—THE FEDERAL LAND BANK OF WICHITA

##### RELEASE OF PERSONAL LIABILITY FEES

Title 6, Code of Federal Regulations, is amended by adding the following new section:

§ 29.7 *Release of personal liability fees.* The following fees shall be charged in connection with applications for release of personal liability, to be paid at the time of the filing of the application, to-wit:

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#### (a) Single Federal Land bank or Land Bank.

Commissioner loans:	
If no appraisal is required	\$7.60
If appraisal is required	17.60

#### (b) Joint Federal Land Bank and Land Bank.

Commissioner loans:	
If no appraisal is required	\$10.00
If appraisal is required	20.00

#### (c) An additional fee of \$7.50 if an investigation is required outside the Ninth Farm Credit District.

If the release is not granted and no appraisal has been made, the entire fee will be refunded. If the release is not granted and an appraisal has been made, \$10 will be retained and the balance of the fee will be refunded. If the release is not granted and both an investigation outside the Ninth Farm Credit District and an appraisal have been made, \$17.60 will be retained and the balance of the fee refunded. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.4019) [Res. Ex. Com., July 1, 1942]

[SEAL] THE FEDERAL LAND BANK OF WICHITA,  
C. G. SHULL, President.

[F. R. Doc. 42-6632; Filed, July 13, 1942; 10:13 a. m.]



## PART 32—THE FEDERAL LAND BANK OF SPOKANE

## FEES

Part 32 of Title 6, Code of Federal Regulations, is amended by adding the following section:

§ 32.6 *Release of personal liability on mortgage loans.* On each application filed for a release from personal liability on a single Federal land bank or Land Bank Commissioner loan, or on joint Federal land bank and Land Bank Commissioner loans, a fee is charged as follows: If no appraisal report required—\$5.00; if appraisal report required—\$20.00. (Sec. 13, "Ninth" 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 43, as amended; 12 U.S.C. 781 "Ninth" 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) (Res. Bd. Dir., June 17, 1942)

[SEAL] THE FEDERAL LAND  
BANK OF SPOKANE,  
J. C. McCaustland,  
Vice-President.

[F. R. Doc. 42-6630; Filed, July 13, 1942;  
10:13 a. m.]

## Chapter II—Commodity Credit Corporation

[1942 C. C. C. Wheat Form 1]

## PART 228—1942 WHEAT LOANS

## INSTRUCTIONS CONCERNING WHEAT LOANS\*

Commodity Credit Corporation has authorized the making of loans and the purchase of eligible paper secured by wheat stored on farms or in approved public grain warehouses. These instructions state the requirements of Commodity Credit Corporation with reference to making such loans on wheat and the purchase of notes secured by wheat.

## Sec.

- 228.1 Definitions.
- 228.2 Areas in which loans are available.
- 228.3 Loan rates.
- 228.6 Protein premium.
- 228.8 Variation for grades.
- 228.10 Determination of dockage, smut, and garlic.
- 228.11 Determination of quantity of wheat.
- 228.12 Maturity and interest rate.
- 228.13 Public warehouses.
- 228.14 Warehouse receipts.
- 228.15 Farm storage.
- 228.16 Liens.
- 228.17 Insurance.
- 228.18 Approval of 1942 wheat loans by a member of the county committee.
- 228.19 Source and preparation of documents.
- 228.20 Source of loans.
- 228.21 Purchase of loan.
- 228.22 Offices of the regional directors of Commodity Credit Corporation.
- 228.23 Release of collateral held by Commodity Credit Corporation.
- 228.24 Partial releases of collateral.

AUTHORITY: §§ 228.1 to 228.24 inclusive issued under sec. 302 (a) 52 Stat. 43, par. (10), 55 Stat. 860, 7 U.S.C. 1302.

§ 228.1 *Definitions.* For the purpose of these instructions and the notes and loan agreements or mortgages relating

thereto, the following terms shall be construed, respectively, to mean:

(a) *Producer eligibility.* (1) A producer will be eligible for a wheat loan at full loan rate if: (i) The 1942 acreage of wheat on the farm does not exceed the wheat acreage allotment or permitted acreage established for the farm under the 1942 Agricultural Conservation Program; (ii) his aggregate share of the 1942 acreage of wheat on all farms in the county does not exceed his aggregate share of the wheat allotment or permitted acreage for such farms; and (iii) the sum of the 1942 acreages of wheat, cotton, corn, and tobacco on the farm does not exceed the sum of the allotments or permitted acreages of such crops on the farm.

(2) A producer on any farm on which the wheat acreage allotment is exceeded solely because of volunteer wheat reaching maturity, and the farm marketing excess wheat is stored on the farm, and who is otherwise eligible to receive a wheat loan, will be eligible for a loan; (i) at full loan rate on all wheat not included in the farm marketing excess and (ii) at 50 percent of the full loan rate on the farm marketing excess wheat.

(3) A producer on a farm on which the wheat acreage allotment or permitted acreage is exceeded, except as provided in (2) above, will be eligible for a loan at 60 percent of the full loan rate on the farm marketing excess wheat as established under the wheat marketing program for the 1942-43 marketing year.

(4) A producer otherwise eligible to receive a wheat loan (other than the 60 percent loan in (3) above) will not be eligible if the State committee determines that such person's aggregate share of the 1942 wheat acreage on all farms in the State exceeds his aggregate share of the allotment or permitted acreage for such farms to such an extent as to offset substantially the performance on the farm or farms on which he might otherwise be eligible for loan.

(b) *Eligible wheat.* Wheat of acceptable quality as defined below which was produced in 1942, the beneficial interest to which is and always has been in an eligible producer as defined under paragraph (a) of this section; or wheat represented by a "Certificate of Indemnity," Form FCI-274, issued by the Federal Crop Insurance Corporation to an eligible producer.

(1) Wheat of any class grading No. 3 or better or wheat grading No. 4 or 5 solely on the factor of test weight, but otherwise grading No. 3 or better when stored on the farm or in approved warehouses. (To be acceptable, however, warehouse-stored wheat grading No. 4 or 5 must be evidenced by a statement of the warehouseman on the warehouse receipt, the inspection certificate, or the warehouseman's supplemental certificate substantially as follows: "This wheat grades No. \_\_\_\_\_ solely on account of test weight.") Wheat of the classes hard red spring or durum shall contain not more than 14½ percent moisture and wheat of other classes shall contain not more than 14 percent moisture, except that:

(i) When stored in warehouses wheat containing not more than 15½ percent moisture in States west of the Mississippi River and 17 percent moisture in States east of the Mississippi River, grading tough or because of carrying notation as to weevil or other insects injurious to stored grain, but otherwise eligible, may be processed at the producer's expense and such wheat will thereafter be considered eligible for loan purposes provided the original warehouse receipt and warehouseman's supplemental certificate, in addition to other original documents, are accompanied by a certificate of the approved warehouseman issuing said receipts as follows:

The wheat represented by attached warehouse receipt No. \_\_\_\_\_, dated \_\_\_\_\_, covering loan wheat has been processed at the request of the eligible producer and redelivery will be made of the same country-run quality, quantity, grade, and protein as shown on the said warehouse receipt and accompanying original inbound inspection, weight, and other required documents free of "tough" and "weevily" notation. Lien for processing charges will not be claimed by warehouseman from Commodity Credit Corporation or any subsequent holder of said warehouse receipt.

(Signed) \_\_\_\_\_  
(Address) \_\_\_\_\_ (Warehouseman)  
Date \_\_\_\_\_, 19\_\_\_\_

(ii) When stored on the farm in all counties in the States of Michigan, Pennsylvania, New York, New Jersey, Maryland, Delaware, and Virginia, and in all counties in the States of Indiana and Ohio north of or intersected by the fortieth parallel meridian, wheat of the classes hard red winter, soft red winter, white, and mixed wheat of the above classes grading tough but containing not more than 14½ percent moisture, if otherwise meeting the requirements of Commodity Credit Corporation, and in good sound condition, will be eligible for a loan at a discount of 2 cents per bushel from the rate for such wheat testing 14 percent or less in moisture content.

(2) Wheat of the class mixed wheat, consisting only of mixtures of those eligible classes of wheat on which loan rates are established, provided such mixtures are the natural product of the field.

(c) *Eligible storage.* Eligible storage shall include public grain warehouses and farm storage meeting the following respective requirements:

(1) Public grain warehouses must meet the requirements of Commodity Credit Corporation, and must have executed the Uniform Grain Storage Agreement. Such warehouses may be situated either at terminal, subterminal, or country points.

(2) Farm storage shall consist of farm bins and granaries which are of such substantial and permanent construction as to afford safe storage of the wheat for a period of 2 years and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather, as determined by the county agricultural conservation committees.

(d) *Lending agency.* Any bank, cooperative marketing association, or other

\* §§ 228.4, 228.5, 228.7, 228.9, *infra*, p. 5333.



corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E.

(e) *Eligible paper.* For the purpose of the Contract to Purchase, eligible paper shall consist of producers' notes secured by chattel mortgages for wheat stored on the farm, or warehouse receipts representing wheat stored in approved warehouses. Notes must be dated on or subsequent to June 1, 1942, and prior to January 1, 1943, and executed in accordance with these instructions with state documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 228.2 *Areas in which loans are available.* Loans are available on eligible wheat stored in approved public grain warehouses.

Loans are available on eligible wheat stored on farms in the following areas:

All counties in California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New York, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming; and in the following counties of the following States:

New Mexico: Bernalillo, Colfax, Curry, Guadalupe, Harding, McKinley, Mora, Quay, Rio Arriba, Roosevelt, San Juan, Santa Fe, San Miguel, Sandoval, Socorro, Taos, Terrence, Union, and Valencia.

Oklahoma: Alfalfa, Beaver, Bookham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas: Archer, Armstrong, Bailey, Baylor, Briscoe, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hartley, Hardeman, Haskell, Hemphill, Hockley, Hutchinson, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Stonewall, Swisher, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 228.3 *Loan rates.* Loan rates on wheat of the designated grades and subclasses stored in approved public grain warehouses or stored on farms in counties where farm storage is permitted are set out in 1942 C. C. C. Wheat Form 1—Supplement 1 and State supplements thereto (1942 C. C. C. Wheat Form 1—Supplement 2—Kansas, etc.).

§ 228.6 *Protein premium.* A premium shall be added to the loan rate of the subclasses of hard red spring and hard red winter, and of the subclass hard

white wheat. Mixed wheat, regardless of the classes of wheat contained in the mixture, will not be eligible for protein premium. Protein premium will be added to the loan rate of farm-stored wheat only where the producer presents a protein certificate issued by a laboratory satisfactory to Commodity Credit Corporation. If the wheat is stored in approved warehouses, the producer must present a protein certificate attached to the warehouse receipt, or present a warehouse receipt or warehouseman's supplemental certificate with protein content indicated thereon. Schedule of protein premiums will be found in 1942 C. C. C. Wheat Form 1—Supplement 1.

§ 228.8 *Variation for grades.* Loan rates for eligible grades and subclasses shall be in accordance with schedule of premiums and discounts shown in 1942 C. C. C. Wheat Form 1—Supplement 1.

§ 228.10 *Determination of dockage, smut, and garlic.* The percentage of dockage shall be determined in accordance with the Official Grain Standards of the United States and the weight of said dockage shall be deducted from the gross weight of the wheat in determining the net quantity available for loan.

In the States of California, Idaho, Oregon, Utah, and Washington, the quantity of smut shall be stated in percentage in accordance with the method set out in paragraph (a) under "Smutty wheat" in the handbook of Official Grain Standards of the United States, Revised, 1941, and shall be stated in terms of half percent, whole percent, or whole and half percent, and the quantity of smut so determined in pounds shall be deducted from the weight of clean wheat after deduction of other dockage. Elsewhere the smut condition of the wheat shall be determined on a degree basis in accordance with paragraph (b) under "Smutty wheat," Official Grain Standards of the United States. Where applicable, the words "Light smutty" or "Smutty" shall be added to, and made a part of, the grade designation.

The garlic condition of wheat shall be determined in accordance with the Official Grain Standards of the United States, and such condition shall be made a part of the grade designation by adding the words "Light garlicky" or the word "Garlicky," as determined under such standards. Discounts for smut and garlic are shown in 1942 C. C. C. Wheat Form 1—Supplement 1.

§ 228.11 *Determination of quantity of wheat.* Loans shall be made at values expressed in cents per bushel. A bushel will be 60 pounds of clean wheat free of dockage, when determined by weight, or 1.25 cubic feet of wheat testing 60 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the net quantity of the collateral when stored as sacked grain. In determining the quantity of wheat in farm storage by measurement, fractional pounds of the test weight per

bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 60-pound wheat:

For wheat testing:	Percent
65 pounds or over.....	108
64 pounds or over, but less than 65 pounds.....	107
63 pounds or over, but less than 64 pounds.....	106
62 pounds or over, but less than 63 pounds.....	103
61 pounds or over, but less than 62 pounds.....	102
60 pounds or over, but less than 61 pounds.....	100
59 pounds or over, but less than 60 pounds.....	98
58 pounds or over, but less than 59 pounds.....	97
57 pounds or over, but less than 58 pounds.....	96
56 pounds or over, but less than 57 pounds.....	93
55 pounds or over, but less than 56 pounds.....	92
54 pounds or over, but less than 55 pounds.....	90
53 pounds or over, but less than 54 pounds.....	88
52 pounds or over, but less than 53 pounds.....	87
51 pounds or over, but less than 52 pounds.....	86
50 pounds or over, but less than 51 pounds.....	83

§ 228.12 *Maturity and interest rate.* Notes secured by wheat stored in public warehouses shall mature on demand but not later than April 30, 1943, and notes secured by wheat stored on farms shall mature on demand but not later than April 30, 1944. All loans will bear interest at the rate of 3 percent per annum.

§ 228.13 *Public warehouses.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts representing eligible wheat issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement and has been approved by the Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of the Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses will be furnished State or county agricultural conservation committees by regional directors. Uniform storage and handling charges and terms of the storage agreement are outlined in the Uniform Grain Storage Agreement. Warehousemen shall not have outstanding at any time warehouse receipts in excess of the normal working or licensed capacity of the warehouse. All wheat pledged as security for a loan on C. C. C. Grain Form B must be stored in the same warehouse. Producers should arrange for cleaning of wheat containing in excess of 2 percent dockage in order to avoid excessive transportation, conditioning, and storage charges. Wheat containing smut or garlic should not be commingled with wheat free of smut or garlic.

§ 228.14 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer and dated on or prior to



the date of the related note and properly endorsed in blank so as to vest title in the holder, and must be issued by approved warehousemen.

(a) Warehouse receipts issued for wheat delivered by wagon or truck should contain substantially the following:

(1) The warehouse receipt should set forth in its written terms that the wheat is insured for not less than market value against the hazards of fire, lightning, inherent explosion and windstorm, cyclone, and tornado, or in lieu of this statement it must have stamped or printed thereon the word "Insured."

(2) The warehouse receipt must be free of all liens for charges prior to unloading in or delivery to the warehouse. Liens for storage charges will be recognized by Commodity Credit Corporation only from May 15, 1942, or the dates of the warehouse receipts, whichever is later.

(3) The warehouse receipt must set forth in the written or printed terms the gross weight or bushels, grade and sub-class, test weight, protein content (if any), degree or percentage of smut or garlic and dockage, and such other information as is required by the Uniform Warehouse Receipts Act.

(4) The warehouse receipt must show the moisture content except in the States of California, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. (In those areas where moisture content is required, but it is not customary for country warehousemen to determine the exact moisture percentage, a warehouse receipt representing wheat stored in a country warehouse will be accepted if the moisture content is not shown, provided the grade of wheat does not show the word "tough." In such cases, the warehouseman will be responsible to deliver wheat not grading "tough" or "sample" due to moisture content.)

Any warehouse receipt which does not contain all the required information as outlined above must be accompanied by a warehouseman's supplemental certificate. Such supplemental certificate must be in duplicate, properly identified to the warehouse receipt, and must contain the information required above.

(b) Warehouse receipts properly executed and issued for wheat delivered by rail or barge must be accompanied by a warehouseman's supplemental certificate in duplicate which should contain the information required in paragraph (a) of this section and which will be used in lieu of the following certificates:

(1) Inbound weight and inspection certificates, and protein certificates properly identified to the wheat covered thereby. In the States of California, Idaho, Nevada, Oregon, Utah, Washington, and in other areas where licensed inspectors are not available at terminal and subterminal warehouses, Commodity Credit Corporation will accept inspection certificates based on representative samples which have been forwarded to and graded by licensed grain inspectors. The official inbound weight and inspection certificates must represent wheat

unloaded in the warehouse issuing said receipt.

(2) The protein content, as determined by a recognized protein testing laboratory, must be shown on each supplemental certificate accompanying warehouse receipt representing wheat of the subclasses of hard red spring and hard red winter and of the subclass hard white wheat, except that protein content need not be shown for the subclasses hard winter and yellow hard winter produced in States or areas tributary to markets where protein content is not customarily required.

§ 228.15 *Farm storage.* Wheat stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by State committees and regional directors of the Agricultural Adjustment Agency. In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will inspect and approve storage facilities and will arrange for measuring, sampling, grading, and sealing the wheat collateral in approved structures. Chattel mortgages covering farm-stored wheat must be executed and filed in accordance with the applicable State law. Where the borrower is a tenant, and the wheat collateral is stored on the farm, the expiration date of the lease shall be given in section 1 (e) of the chattel mortgage. If the expiration date of the lease is prior to June 30, 1944, the borrower must secure from the owner and other interested parties, consent that the collateral may remain in the described storage structure until June 30, 1944, without any charge to the Commodity Credit Corporation other than that agreed to be paid to the borrower for storing the collateral. The consent agreement is set forth in the chattel mortgage. Each producer must designate in section 1 (b) of the chattel mortgage a shipping point reasonably convenient for the delivery of the wheat as determined by the county committee. A separate note and chattel mortgage must be submitted for wheat stored on each quarter section of land.

The Commodity Credit Corporation will accept delivery of all the producer's wheat in the bin or bins in which all or a portion of the grain therein is under loan. Such delivery will be limited to the number of bushels that was in the bin at the time the loan was made, less any amount which has been previously removed. The producer will be given credit for the number of bushels so delivered at the loan rate applicable to the grade and class of wheat delivered. If no loan rate has been established for the grade of wheat delivered, the actual delivery value will be furnished by the regional director of Commodity Credit Corporation serving the area.

A storage allowance of 7 cents per bushel will be advanced at the time the loan is made only on the number of bushels placed under loan, except that no storage allowance shall be advanced or earned on loans made on "volunteer" wheat at 50 percent of the full loan

value. A storage payment of 7 cents per bushel shall be earned by the producer (1) if the wheat is delivered to the Commodity Credit Corporation on or after April 30, 1943, or (2), if pursuant to demand by the Corporation for the repayment of the loan, the wheat is delivered to the Commodity Credit Corporation prior to April 30, 1943, provided such demand for repayment was not due to any fraudulent representation on the part of the producer or the wheat was damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to April 30, 1943, with the consent or approval of the Commodity Credit Corporation, a storage payment will be earned in accordance with the terms of the mortgage supplement. Earned storage shall be computed after delivery has been completed and any storage advance not earned shall be repaid to the Corporation. A storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage. Any deficiencies due the Corporation will be deducted from any credits which may be due the producer from the Corporation.

In the event the producer's loan is not previously called and the producer has not elected to deliver his wheat in satisfaction of his loan between April 30, 1943, and June 30, 1943, a storage payment of ½ cent per bushel per month for each complete month after June 30, 1943, will be earned, not to exceed 5 cents per bushel through June 30, 1944. The full payment of 5 cents per bushel shall be earned by the producer (1) if the wheat is delivered to Commodity Credit Corporation on or after April 30, 1944, or (2) if, pursuant to demand by the Commodity Credit Corporation between July 1, 1943, and April 30, 1944, for the repayment of the loan, the wheat is delivered to the Commodity Credit Corporation prior to April 30, 1944, provided such demand for payment was not due to any fraudulent representation on the part of the producer, or because the wheat was damaged, threatened with damage, abandoned, or otherwise impaired.

§ 228.16 *Liens.* The wheat collateral must be free and clear of all liens, or if liens exist on the collateral, proper waivers must be secured from each lienholder. The names of the holders of all existing liens on the pledged or mortgaged wheat, such as landlord, laborers, threshers, or mortgagees, must be listed in the space provided in the chattel mortgage or note and loan agreement. The waiver and consent to pledge or mortgage the wheat and the payment of the proceeds of the loan and the proceeds of the sale of the wheat solely to the producer as contained in the mortgage or note and loan agreement must be signed personally by all lien holders listed or by their duly authorized agents; or, if corporation, by an officer authorized to execute such instruments. Lien holders may sign C. C. Form AB, completely identifying the related note, in lieu of signing the appropriate section of the chattel mortgage or note and loan agreement. The proceeds of the loan may be made



payable to the producer and/or such other person or concern as the producer may direct in the space provided on the note. Producers should be sure that wheat offered as collateral for a loan is not covered by previous real estate or other mortgages. The producer shall be held personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code for any fraudulent representation of fact made in the execution of the note and mortgage or loan agreement.

§ 228.17 *Insurance*—(a) *Wheat stored on farms.* Commodity Credit Corporation will not require producers to insure their 1942 farm-stored wheat placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note "paid" and return it to the borrower. In case of a partial loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the note will be credited at the loan value, plus interest for the number of bushels on which the loss occurred. Where either total or partial loss occurs and such loss is assumed by Commodity Credit Corporation, no repayment of any storage advance will be required of the borrower even though the loss took place prior to April 30, 1943. No loss will be assumed if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan.

(b) *Wheat stored in approved warehouses.* The warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, and windstorm, cyclone, and tornado for the full market value of wheat stored in their warehouses as long as receipts are outstanding.

§ 228.18 *Approval of 1942 wheat loans by a member of the county committee.* C. C. C. Grain Form A (Revised) and C. C. C. Grain Form B must be approved by a member of the county agricultural conservation committee. The date of approval must not be prior to the date of the note or note and loan agreement.

(a) *Farm storage note.* A member of the county committee signing in the space provided on the Grain Producer's Note (C. C. C. Grain Form A (Revised)) certifies for and on behalf of the committee that to its best knowledge and belief the wheat securing said note and the storage structure(s) in which said wheat is stored have been inspected and sealed and the quantity, quality, and loan value determined in accordance with regulations of the Secretary of Agriculture; that the representations set forth in the chattel mortgage are true and correct; that the chattel mortgage covering said wheat has been properly executed and will be filed for record in accordance with the requirements of Commodity Credit Corporation; that satisfactory evidence of authority of all parties executing note, chattel mortgage, lienwaiver(s), and consent for storage has been received,

and any documentary evidence of authority will be held by the committee; that the original or a duplicate copy of said mortgage bearing receipt of the county recording official is held by the committee; that all lienholders have waived the priority of their liens and consents granted for storage if necessary, and that the storage advance has been included in the amount of the note in accordance with the provisions of the Agricultural Adjustment Agency instructions.

(b) *Warehouse storage note and loan agreement.* A member of the county committee signing in the space provided on the Grain Producer's Note and Loan Agreement (C. C. C. Grain Form B) certifies for and on behalf of the committee that to its best knowledge and belief the representations set forth by the producer are true and correct; that the amount of the loan on the described wheat has been correctly determined on the basis of the warehouse receipts or certificates of indemnity in accordance with these instructions and supplements thereto; and that all existing liens on the pledged wheat are listed in section 7.

§ 228.19 *Source and preparation of documents.* Forms will be furnished county agricultural conservation committees in the areas designated in § 228.2 and copies for the purpose of information may be obtained from such committees or from the office of the regional director serving the area, listed in § 228.22. All loan documents shall be prepared in the office of the county agricultural conservation committee. All blanks in C. C. C. Grain Forms A (Revised), AA (Revised), and B must be filled in with ink, typewriter, or indelible pencil, and such documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation only when such corrections are properly initialed by the producer. The county agricultural conservation associations will collect a service fee for all loans.

§ 228.20 *Source of loans.* Loans may be obtained from Commodity Credit Corporation or any approved lending agency. Notes representing loans made direct with Commodity Credit Corporation should indicate Commodity Credit Corporation as payee and should be mailed to the regional director serving the area. Notes representing loans made with other agencies should bear the name and address of the lending agency as payee.

§ 228.21 *Purchase of loan.* Commodity Credit Corporation will purchase, without recourse, eligible paper only from approved lending agencies in accordance with the terms of the Contract to Purchase (1940 C. C. C. Form E). Paper held by lending agencies must be submitted to the regional director serving the area in which the wheat is stored. Lending agencies should report weekly on 1940 C. C. C. Form F all payments or collections on producers' notes. An amount equivalent to 1½ percent interest per annum on the principal amount

collected must be submitted with such weekly reports.

§ 228.22 *Offices of the regional directors of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them under these instructions are shown below:

*Address of Regional Director*

208 South La Salle Street,  
Chicago, Ill.

*Area*

Connecticut, Delaware, Illinois (except East St. Louis), Indiana, Eastern Iowa (including Howard, Chickasaw, Bremer, Black Hawk, Tama, Poweshiek, Mahaska, Wapello, Davis, and all counties east of those listed), Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Southern Wisconsin (including all counties except 18 listed (in the Minneapolis area)).

1108 Federal Reserve Bank Building, Kansas City, Mo. Alabama, Arkansas, Colorado, Georgia, Florida, Western Iowa (including all counties west of those listed above), Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.

326 McKnight Building, Minneapolis, Minn. Minnesota, Montana, North Dakota, South Dakota, Northern Wisconsin (including the following counties: Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Iron, Pepin, Pierce, Polk, Rush, St. Croix, Sawyer, Vilas, Washburn, Florence, Forest, Oneida, Price, La Crosse, Lincoln, Taylor, Trempealeau).

Artisans Building, 225 Southwest Broadway, Portland, Oreg. Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 228.23 *Release of collateral held by Commodity Credit Corporation.* A producer may obtain release of the collateral by paying to the lending agency or the Commodity Credit Corporation, whichever holds the note, the principal amount of the note, plus interest. If the note is held by an out-of-town lending agency or the Commodity Credit Corporation, the producer may request the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm storage wheat loan, the county agricultural conservation committee should be requested to release the mortgage by filing an instrument of release or by a margin release on the county records.



§ 228.24 *Partial releases of collateral will be made as follows:* (a) In the case of farm-stored wheat, producers may obtain release of all or part of the collateral in a bin by paying to the holder of the note the loan value, plus storage advances and accrued interest, for the wheat released. Form Commodity Loan 29 must be executed in accordance with instructions issued by Agricultural Adjustment Agency for each partial redemption and one copy must be submitted to the office of the regional director serving the area.

(b) In the case of warehouse-stored wheat, each partial release must cover all the wheat under one warehouse receipt number. Producers may obtain release of one or more warehouse receipts by paying to the holder of the note the amount of the loan, plus interest for the wheat represented by the warehouse receipt. If the notes are held by an out-of-town lending agency or Commodity Credit Corporation, or if the wheat is stored in a terminal warehouse, the warehouse receipt(s) may be forwarded to an approved lending agency as directed by the producer for collection.

(c) Commodity Credit Corporation will purchase notes on which partial releases have been made by lending agencies provided the note is credited by the lending agencies for the full amount of the loan on the wheat released, plus interest at the rate of 3 percent per annum, and 1½ percent interest per annum on such principal amount collected has been submitted to the regional director serving the area.

[SEAL] J. B. HUTSON,  
President.

MAY 27, 1942.

[F. R. Doc. 42-6611; Filed, July 11, 1942;  
11:34 a. m.]

[1942 C. C. C. Wheat Form 1—Supp. 1]

#### PART 228.—1942 WHEAT LOANS<sup>1</sup>

##### INSTRUCTIONS CONCERNING WHEAT LOANS

Sec.

228.4 Amount of loans at terminal markets.

228.5 Amount of loan at country points.

228.7 Protein premiums.

228.9 Variations for grades.

§ 228.4 *Amount of loans at terminal markets.* Loan rates on wheat of the designated grades and subclasses stored in approved public grain warehouses at the following terminal markets shall be as follows:

Market	Grade and subclass	Loan rate per bushel
Kansas City, Mo.; Kansas City, Kans.; St. Joseph, Mo.; Omaha, Nebr.; Council Bluffs, Iowa.	No. 2 Hard Winter.....	\$1.27
	No. 2 Red Winter.....	1.27
	No. 1 Dark Northern Spring.....	1.30
	No. 1 Northern Spring.....	1.23
	No. 2 Soft White.....	1.23
	No. 2 Hard White.....	1.27
	No. 2 Mixed Wheat.....	1.24

<sup>1</sup> §§ 228.4, 228.5, 228.7, 228.9, issued under the authority contained in sec. 302 (a), 52 Stat. 43, par. 10, 55 Stat. 860; 7 U.S.C. 1302.

Market	Grade and subclass	Loan rate per bushel
Chicago, Ill.; Milwaukee, Wis.; St. Louis, Mo.; East St. Louis, Ill.	No. 2 Hard Winter.....	\$1.32
	No. 2 Red Winter.....	1.32
	No. 1 Northern Spring.....	1.32
	No. 2 Mixed Wheat.....	1.29
	No. 1 Soft White.....	1.27
	No. 1 White Club.....	1.27
	No. 1 Western White.....	1.27
	No. 1 Hard Winter.....	1.27
	No. 1 Western Red.....	1.27
	No. 1 Mixed Wheat.....	1.24
	No. 1 Dark Northern Spring.....	1.32
	No. 1 Northern Spring.....	1.32
San Francisco, Los Angeles, Stockton, Oakland, Calif.	No. 2 Hard Winter.....	1.27
	No. 2 Red Winter.....	1.27
	No. 2 Mixed Wheat.....	1.27
	No. 1 Soft White.....	1.27
	No. 1 White Club.....	1.27
	No. 1 Western White.....	1.27
	No. 1 Hard Winter.....	1.27
	No. 1 Western Red.....	1.27
	No. 1 Mixed Wheat.....	1.24
	No. 1 Dark Northern Spring.....	1.32
	No. 1 Northern Spring.....	1.32
	No. 2 Hard Winter.....	1.27
Minneapolis, St. Paul, Duluth, Minn.; Superior, Wis.	No. 2 Red Winter.....	1.27
	No. 2 Mixed Wheat.....	1.27
	No. 2 Hard Winter.....	1.27
	No. 2 Soft White.....	1.27
	No. 2 Hard Amber Durum.....	1.23
	No. 2 Amber Mixed Durum.....	1.31
	No. 2 Mixed Durum.....	1.23
	No. 2 Mixed Durum (Less than 10 percent mere Durum.....	1.12
	No. 2 Mixed Wheat (Less than 10 percent mere Durum.....	1.24
	No. 1 Hard Federation, White Federation, Best and Bluestem Grading Hard White.....	1.22
	No. 1 Soft White.....	1.21
	No. 1 Western White.....	1.21
Portland, Oreg.; Seattle, Vancouver, Longview, Tacoma, Wash.	No. 1 Hard Winter.....	1.21
	No. 1 White Club.....	1.21
	No. 1 Red Winter.....	1.21
	No. 1 Western Red.....	1.21
	No. 1 Northern Spring.....	1.21
	No. 1 Mixed Wheat.....	1.19
	No. 2 Hard Winter.....	1.21
	No. 2 Red Winter.....	1.21
	No. 2 Mixed Wheat.....	1.21
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
Galveston, Houston, Tex.; New Orleans, La.	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
Evansville, Ind.; Louisville, Ky.; Cincinnati, Ohio.	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
Philadelphia, Pa.; Baltimore, Md.	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
Albany, N. Y.	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23
	No. 2 Hard Winter.....	1.23
	No. 2 Red Winter.....	1.23
	No. 2 Mixed Wheat.....	1.23

Mixed wheat rates listed above will not apply if mixed wheat contains 10 percent or more of a class other than those listed for such terminal market.

All wheat eligible for loan at the foregoing loan rates must have been shipped on a *domestic freight rate basis*. The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any wheat shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to wheat delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required under the Instructions (C. C. C. Wheat Form 1): *Provided*, In the event the amount of paid in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guar-

antee minimum proportional basis on the outbound movement: *Provided further*, That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts for which a legend, signed by the warehouseman, has been typewritten in the following form or certificate of such warehouseman containing such an undertaking or such forms as may hereafter be approved by Commodity Credit Corporation:

#### FREIGHT CERTIFICATE FOR TERMINALS

The \_\_\_\_\_ represented by attached \_\_\_\_\_ Commodity \_\_\_\_\_ warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_ Town \_\_\_\_\_ point of origin, \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ as evidenced by freight bill described as follows: Way Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Car No. \_\_\_\_\_ Int. \_\_\_\_\_ Freight Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Carrier \_\_\_\_\_ Transit Weight \_\_\_\_\_ Freight Rate In \_\_\_\_\_ Amount Collected \_\_\_\_\_ Number Unused Transit Stops \_\_\_\_\_

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

Date of Signature \_\_\_\_\_ Warehouseman's Signature \_\_\_\_\_ Address \_\_\_\_\_

Otherwise a deduction of six cents (6¢) per bushel shall be made.

§ 228.5 *Amount of loan at country points.* (a) Except for the States and counties hereinafter set forth, Commodity Credit Corporation will determine the loan rate on wheat in storage on the farm or in country warehouses by deducting from the designated terminal market value an amount equal to 3 cents more than the all-rail interstate freight rate (in effect on May 1, 1942) from the country warehouse points, or the shipping point designated by the producer, to such terminal market; except that in the appropriate counties of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, and Wisconsin such rates shall be computed on the basis of the average freight rate from all shipping points other than subterminal markets in each county to the appropriate terminal market.

Each approved warehouse will be advised as to the loan rate applicable to wheat stored in such warehouse. Producers may obtain from the county committee the loan rates applicable to wheat stored on each farm and in the public warehouses. Loan rates will be published in C. C. C. Wheat Form 1—Supplement 2, for each State.

The loan rate of eligible wheat stored in approved warehouses (other than those situated in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for



such wheat to such terminal market: *Provided*, In the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing loan wheat in such position as determined by Commodity Credit Corporation. Arrangements have been made for the railroads to indicate transit balance of the through rate on the inbound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges: *Provided*, That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts for which a legend, signed by the warehouseman, has been typewritten in the following form or a warehouseman's supplemental certificate containing such information:

**FREIGHT CERTIFICATE FOR OTHER THAN  
TERMINAL POINTS**

The \_\_\_\_\_ represented by attached warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_ Town \_\_\_\_\_ State \_\_\_\_\_ point of origin, as evidenced by freight bill described as follows: Way Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Car No. \_\_\_\_\_ Int. \_\_\_\_\_ Freight Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Carrier \_\_\_\_\_ Transit Weight \_\_\_\_\_ Freight Rate In \_\_\_\_\_ Amount Collected \_\_\_\_\_ Transit balance, if any, of through freight rate to \_\_\_\_\_ of \_\_\_\_\_ per 100 pounds. Number Unused Transit Stops \_\_\_\_\_ The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

Date of Signature \_\_\_\_\_ Warehouseman's Signature \_\_\_\_\_ Address \_\_\_\_\_

(b) Separate schedules of loan rates will be issued for the States and counties hereinafter set forth:

Colorado: The counties of Alamosa, Archuleta, Chaffee, Conejos, Costilla, Custer, Delta, Dolores, Eagle, Fremont, Garfield, LaPlata, Mesa, Moffat, Montezuma, Montrose, Ouray, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Miguel.

Idaho: All counties south of Idaho County.  
New Mexico: The counties of Colfax, Curry, Harding, Quay, Rio Arriba, Roosevelt, San Juan, Taos, McKinley, Mora, San Miguel, Union.

Utah: All counties.  
Wyoming: The counties of Lincoln, Sublette, Sweetwater, Teton, Uinta.

All counties in the following States: Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, West Virginia.

The loan rate of eligible wheat stored in approved warehouses in the foregoing area which was shipped by rail in the movement of natural market direction as

approved by Commodity Credit Corporation, shall be determined by adding 3 cents per bushel to the country loan rate for the county from which the wheat is shipped and an amount equal to the transit value of the freight paid from point of origin to markets designated by Commodity Credit Corporation, except that eligible wheat originating in Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, or West Virginia and stored in Cairo, Illinois; Evansville, Indiana; Louisville, Kentucky; Cincinnati, Ohio; Baltimore, Maryland; or Philadelphia, Pennsylvania shall receive the loan rate shown in these instructions. Lending agencies and county committees are advised that in each instance such transit value must be verified by the regional director of the Commodity Credit Corporation serving the area. In such cases, the loan documents must be accompanied by the original paid freight bills or certificates of the warehouseman and other required documents as set forth in § 228.5 (a) above. If eligible loan wheat is stored in approved warehouses located at transit points, taking a penalty by reason of back haul, or out-of-line of natural market movement, such penalty or other costs by reason of such movement, as determined by Commodity Credit Corporation, shall be deducted from loan rates as determined above. In such cases, the warehouse receipts in addition to the required documents as set forth in C. C. C. Wheat Form 1, § 228.14, must be accompanied by the original or duplicate original paid freight bills, or certificates of the warehouseman as to such paid freight bills as indicated above.

**§ 228.7 Protein premiums.**

Protein content (percent)	Premium above loan rate otherwise computed—	
	At Los Angeles, San Francisco, Stockton and Oakland, Calif.; Minneapolis, St. Paul, and Duluth, Minn.; Superior, Wis.; Portland, Oreg.; Seattle, Vancouver, Longview, and Tacoma, Wash.; and all country points where the loan value is based on such terminal markets	At Kansas City and St. Joseph, Mo.; Kansas City, Kans.; Omaha, Nebr.; Council Bluffs, Iowa; Galveston and Houston, Tex.; New Orleans, La.; and all country points where the loan rate is based on such terminal markets
12.9 or less	0	0
13.0-13.9	1	0
14.0-14.4	2	1
14.5-14.9	3	1
15.0-15.4	4	2
15.5-15.9	5	2
16.0-16.4	6	3
16.5 or over	7	3

§ 228.9 Variations for grades. Loan rates for eligible grades and subclasses shall be at the following schedule of premiums and discounts:

(a) Where the loan rate is based on No. 2 wheat, the loan rate on No. 1 wheat shall be 1 cent more than the loan rate on No. 2; the loan rate on No. 3 wheat shall be 2 cents less than the loan rate on No. 2; the loan rate on No. 4 wheat shall be 5 cents less than the loan rate

on No. 2; and the loan rate on No. 5 wheat shall be 8 cents less than the loan rate on No. 2.

(b) Where the loan rate is based on No. 1 wheat, the loan rate on No. 2 wheat shall be 1 cent less than the loan rate on No. 1; the loan rate on No. 3 wheat shall be 3 cents less than the loan rate on No. 1; the loan rate on No. 4 wheat shall be 6 cents less than the loan rate on No. 1; and the loan rate on No. 5 wheat shall be 9 cents less than the loan rate on No. 1.

(c) The loan rate on No. 1 Heavy Dark Northern Spring shall be 1 cent more than the loan rate on No. 1 Dark Northern Spring, and the loan rate on No. 1 Heavy Northern Spring shall be 1 cent more than the loan rate on No. 1 Northern Spring, and the loan rate on No. 1 Red Spring shall be 2 cents less than the loan rate on No. 1 Northern Spring.

(d) The loan rate on Yellow Hard Winter shall be 2 cents less than the loan rate on Hard Winter.

(e) The loan rate on Hard White shall be 1 cent more than the loan rate on Soft White, except as otherwise provided in C. C. C. Wheat Form 1 or supplements thereto.

(f) The loan rate on Durum wheat shall be 7 cents less than the loan rate on Amber Durum wheat.

(g) The loan rate on mixed wheat in areas where the loan rates are determined other than on the terminal markets listed above shall be 3 cents per bushel below the loan rate established for the comparable numerical grade if it were not mixed as set forth in C. C. C. Wheat Form 1—Supplement 2, for each State.

(h) The discount for smut determined on a percentage basis shall be as follows:

Cents per bushel	
½ % to 1%, inclusive	1.05
1½ % to 3%, inclusive	1.35
3½ % to 7%, inclusive	1.95
7½ % to 15%, inclusive	2.55

The discounts for smut and garlic determined on a degree basis shall be as follows:

Cents per bushel	
Light smutty	3
Smutty	6
Light Garlicky	1
Garlicky	12

A discount of only 6 cents will be made for Garlicky wheat if the grade certificate (for farm-stored wheat) or the warehouse receipt or warehouseman's certificate indicates that the wheat contains not in excess of 50 green garlic bulblets or its equivalent in 1000 grams of wheat. For wheat produced in the States of Delaware, New Jersey, Pennsylvania, Maryland, North Carolina, Virginia, and West Virginia, the discount for light garlicky wheat shall be 2 cents per bushel and for garlicky wheat shall be 6 cents per bushel.

[SEAL]

J. B. HUTTON,  
President.

MAY 28, 1942.

[F. R. Doc. 42-6610; Filed, July 11, 1942; 11:34 a. m.]



[1942 C. C. C. Flaxseed Form 1]

## PART 229—1942 FLAXSEED LOANS

## INSTRUCTIONS CONCERNING FLAXSEED LOANS

Commodity Credit Corporation has authorized the making of loans in accordance with these instructions upon the security of flaxseed stored on farms, and in approved public warehouses.

- Sec.  
229.1 Definitions.  
229.2 Areas in which loans will be made.  
229.3 Amount of loans.  
229.4 Maturity and interest rate.  
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229.6 Farm storage.  
229.7 Chattel mortgages.  
229.8 Public warehouses.  
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229.10 Liens.  
229.11 County agricultural conservation committee.  
229.12 Source of loans.  
229.13 Purchase of loans.  
229.14 Offices of Commodity Credit Corporation.  
229.15 Release of collateral.

AUTHORITY: §§ 229.1 to 229.15 inclusive issued under Sec. 302 (a) 52 Stat. 43; 7 U.S.C. 1302.

§ 229.1 *Definitions.* For the purpose of these instructions and the notes and chattel mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer.* Any person, partnership, association, or corporation producing flaxseed in 1942 as landowner, landlord, or tenant.

(b) *Eligible flaxseed.* Flaxseed grading No. 1 or No. 2, which was produced in 1942, the beneficial interest to which is and always has been in the eligible producer. Flaxseed containing more than 30 percent damage or which contains more than 11 percent moisture, or which is musty, sour, heating, hot, or which has any commercially objectionable odor, or which is otherwise low quality, is not eligible for loan.

(c) *Eligible storage.* Eligible storage shall include public grain warehouses and farm storage meeting the following respective requirements:

(1) Public grain warehouses which have met the requirements of Commodity Credit Corporation and have executed the Uniform Grain Storage Agreement, amended to cover flaxseed. Such warehouses may be situated at either terminal or country points.

(2) Farm storage shall consist of farm bins, and granaries which are of such substantial and firm construction as to afford safe storage of the flaxseed for a period of 2 years and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather, as determined by the county agricultural conservation committee.

(d) *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E.

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(e) *Eligible paper.* Eligible paper shall consist of notes of the producers secured by chattel mortgages or warehouse receipts representing flaxseed in existence and undamaged from the perils of fire, lightning, inherent explosion, cyclone, tornado, windstorm and flood, dated prior to January 31, 1943, and executed in accordance with these instructions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 229.2 *Areas in which loans will be made.* Loans will be made on eligible flaxseed stored in approved public grain warehouses or in acceptable storage structures located on farms.

§ 229.3 *Amount of loans.* Loan values on flaxseed shall be based on numerical grades as provided in the Official Grain Standards of the United States. (a) The basic loan value for eligible flaxseed, stored in approved terminal warehouses with storage charges prepaid through June 30, 1943, shall be as follows:

Market	Loan rate for No. 1	Loan rate for No. 2
Chicago.....	\$2.40	\$2.35
Duluth.....		
Minneapolis.....		
St. Paul.....		
Portland.....		
Los Angeles.....	2.45	2.40
San Francisco.....	2.35	2.30
Kansas City.....		

The foregoing applies to flaxseed delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required: *Provided*, In the event the amount of paid in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan value the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement; *Provided further*, That Commodity Credit Corporation will accept in lieu of such bills the approved warehouseman's supplemental certificate, or warehouse receipts on which a legend, signed by the warehouseman, has been stamped or typewritten in the following form or certificate of such warehouseman containing such an undertaking, or such form as is approved by Commodity Credit Corporation:

## FREIGHT CERTIFICATE FOR TERMINALS

The \_\_\_\_\_ represented by  
(Commodity)  
attached warehouse receipt No. \_\_\_\_\_  
was received by rail freight from point of  
\_\_\_\_\_ Town \_\_\_\_\_ County \_\_\_\_\_ State  
origin, as evidenced by freight bill described  
as follows:  
Way Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Car No. \_\_\_\_\_  
Int. \_\_\_\_\_ Freight Bill, Date \_\_\_\_\_

\_\_\_\_\_ No. \_\_\_\_\_ Carrier \_\_\_\_\_  
\_\_\_\_\_ Transit Weight \_\_\_\_\_  
Freight Rate In \_\_\_\_\_ Amount Collected \_\_\_\_\_  
\_\_\_\_\_ Number Unused Transit  
Stops \_\_\_\_\_

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

\_\_\_\_\_ Date of Signature \_\_\_\_\_  
\_\_\_\_\_ Warehouseman's Signature \_\_\_\_\_  
\_\_\_\_\_ Address \_\_\_\_\_

A deduction of six cents (6¢) per bushel shall be made if evidence is not submitted that paid rail freight bills have been registered for transit privileges.

(b) The loan value for No. 1 and No. 2 flaxseed stored on farms and in approved country warehouses shall be determined by deducting from the applicable basic terminal loan value an amount equal to 4 cents per bushel more than the all-rail interstate freight rate in effect May 1, 1942, to the appropriate terminal market. A county average of freight rates from all shipping points in each county to the appropriate terminal market shall be determined in order that county loan rates may be established. Loan values applicable to each county will be contained in C. C. C. Flaxseed Form 1—Supplement No. 1, for each State.

(c) Loan values for flaxseed stored in approved warehouses other than those situated in the terminal markets designated in paragraph (a) of this section which was shipped by rail shall be determined by the regional director of Commodity Credit Corporation. Values at such storage points shall be determined on the basis of terminal values listed in paragraph (a) of this section with appropriate adjustment for freight.

(d) As evidence that storage charges have been prepaid through June 30, 1943, entitling the borrower to the above loan rates, the warehouse receipt must have stamped or typed thereon, or attached thereto, the following legend:

Storage charges for the period ending June 30, 1943, on the flaxseed represented by this warehouse receipt have been paid or otherwise provided for and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

\_\_\_\_\_ Signed \_\_\_\_\_  
Date \_\_\_\_\_ Warehouseman \_\_\_\_\_

In the absence of evidence of prepaid storage a deduction of 7 cents per bushel will be made from the loan value otherwise applicable.

§ 229.4 *Maturity and interest rate.* Notes secured by farm-stored flaxseed or by warehouse receipts representing flaxseed shall mature on demand, or June 30, 1943. All loans will bear interest at the rate of 3 percent per annum. Notes evidencing such loans must be dated on or before January 31, 1943.

§ 229.5 *Determination of quantity of flaxseed.* A bushel shall be 56 pounds of clean flaxseed free of dockage, when determined by weight, or 1.25 cubic feet



of flaxseed testing 56 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the quantity of the collateral when stored as sacked grain. In determining the quantity of flaxseed in farm storage by measurement, fractional pounds of the bushel test weight for flaxseed testing less than 56 pounds per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 56-pound flaxseed:

	Percent
For flaxseed testing 56 pounds or over.....	100
For flaxseed testing 55 pounds or over but less than 56 pounds.....	98
For flaxseed testing 54 pounds or over, but less than 55 pounds.....	96
For flaxseed testing 53 pounds or over, but less than 54 pounds.....	94
For flaxseed testing 52 pounds or over, but less than 53 pounds.....	92
For flaxseed testing 51 pounds or over, but less than 52 pounds.....	90
For flaxseed testing 50 pounds or over, but less than 51 pounds.....	88
For flaxseed testing 49 pounds or over, but less than 50 pounds.....	85
For flaxseed testing 48 pounds or over, but less than 49 pounds.....	83
For flaxseed testing 47 pounds or over, but less than 48 pounds.....	81

§ 229.6 *Farm storage.* Flaxseed stored on the farm must have been stored in the granary for a reasonable period, determined by the county agricultural conservation committee, prior to its inspections for measurement, sampling and sealing. In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will inspect and approve storage facilities and will arrange for measuring, sampling, grading and sealing the flaxseed collateral in approved structures. Chattel mortgages covering farm-stored flaxseed must be executed and filed in accordance with the applicable State law. Producers should obtain information and assistance from the county agricultural conservation committees in regard to the execution and filing of such chattel mortgages. Where the borrower is a tenant farmer and the flaxseed collateral is stored on the farm, the expiration date of the lease shall be given in the chattel mortgage. If the expiration date of the lease is prior to August 31, 1943, the landlord shall execute the Consent for Storage in the chattel mortgage. The consent agreement shall also be signed by any other party or parties entitled to possession. Each producer must designate in the chattel mortgage a shipping point reasonably convenient for the delivery of the flaxseed as determined by the county committee. Notes and mortgages will not be acceptable which provide a shipping point other than the normal shipping point customarily used by the producers in the locality in which the flaxseed was produced. A separate note and chattel mortgage must be submitted for flaxseed stored on each quarter section of land.

§ 229.7 *Chattel mortgages.* All documents must be carefully examined as to compliance with State requirements.

§ 229.8 *Public warehouses.* Commodity Credit Corporation will accept only negotiable insured warehouse receipts covering flaxseed pledged as collateral to notes on C. C. Grain Form B issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement, amended to cover flaxseed. Warehousemen desiring approval should communicate with the Commodity Credit Corporation office serving the area, at which office a list of approved warehouses and their locations is available. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. Approved warehousemen shall not issue and have outstanding at any time warehouse receipts in excess of the normal working capacity or licensed capacity of the warehouse. Warehousemen shall be required to deliver either the identical flaxseed or country-run flaxseed equal to that described in the warehouse receipts and accompanying certificates or documents.

§ 229.9 *Warehouse receipts.* Warehouse receipts must be dated on or prior to the date of the related note and properly assigned by an endorsement in blank so as to vest title in the holder, or issued to bearer, and must be issued by approved warehousemen. Unless the warehouse receipts are stamped or printed "insured" there must be attached or included in the certificate of the warehouseman the statement that the flaxseed is insured for not less than the market value, against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for storage charges will be recognized by Commodity Credit Corporation only from May 15, 1942, or the dates of the warehouse receipts, whichever is later: *Provided*, storage charges have not been prepaid through June 30, 1943, in which event lien for storage charges will be recognized only from July 1, 1943. Such receipts must set out in their written or printed terms the gross weight or bushels, the grade, the percentage of sound flaxseed, test weight, and all other facts and statements required to be stated in the written or printed terms of the negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act or to be accompanied by a certificate of the warehouseman, identified to such warehouse receipts, setting out such information and shall be based on the inbound movement or delivery of the grain to an approved warehouse.

§ 229.10 *Liens.* The flaxseed collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or note and loan agreement. The names of the holders of all existing liens on the pledged or mortgaged flaxseed, such as landlord, laborers, threshers, or mortgagees, must be listed in the space provided therefor in the mortgage or loan agreement. The waiver and consent to the pledge or mort-

gage of the flaxseed and the payment of the proceeds of the loan and the proceeds of the sale of the flaxseed solely to the producer as contained in the mortgage or loan agreement must be signed personally by all lienholders listed or by their duly authorized agents; or, if corporation, by the designated officer thereof customarily authorized to execute such instruments. (In lieu of signing the section of the chattel mortgage or loan agreement entitled "List of Lienholders and Their Waivers and Consent to Pledge," lienholders may sign a separate form which must completely identify the related note.) The producer will direct in the notes that the proceeds of the loan be made payable to him and/or such other person or concern as he may direct thereon. Producers should read carefully all real estate or other mortgages previously given by them in order to determine whether or not crops are covered thereby. Any fraudulent misrepresentation of fact made in the execution of the note and related forms shall render the producer personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code.

§ 229.11 *County agricultural conservation committee.* Forms will be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. The producers' notes contain approvals which should not bear a date prior to the date of the note or loan agreement and which must be signed in each instance by a member of the county agricultural conservation committee of the county in which the flaxseed was produced, for warehoused flaxseed, and the county in which the flaxseed is stored, for farm-stored flaxseed. Pursuant to instructions issued by the Secretary of Agriculture, the State and county committees will determine or cause to be determined the quantity and grade of the flaxseed collateral and the amount of the loan. All loan documents will be completed and approved by the county committee, who will retain all documents except the producer's note. In order to meet the cost of the local expenses, county agricultural associations will collect a service fee for all loans.

§ 229.12 *Source of loans.* Loans may be obtained from banks and other local lending agencies, which in turn may sell the paper evidencing such loans to Commodity Credit Corporation. Producers may also obtain loans direct from the Corporation on notes made payable to the Corporation, which shall be delivered to the office serving the area in which the flaxseed is stored, delivered, or post-marked prior to February 1, 1943. Upon approval of the loan by Commodity Credit Corporation, payment will be made pursuant to the directions of the producer as set forth in the note.

§ 229.13 *Purchase of loans.* Commodity Credit Corporation will purchase without recourse, eligible paper, as defined above, only from lending agencies which have executed and delivered to the office of Commodity Credit Corporation to which notes are submitted Contract



to Purchase, 1940 C. C. C. Form E, obtainable only from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request or at least 10 days prior to maturity in the absence of written demand. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest from the respective dates to the date of payment of the purchase price at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly on 1940 C. C. C. Form F all payments or collections on producers' notes held by them, and to remit with such report to Commodity Credit Corporation, an amount equivalent to 1½ percent interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 229.14 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors previously referred to herein and the areas served by them under these instructions are:

Address	Area
208 South La Salle Street, Chicago, Ill.	Delaware, Illinois (except East St. Louis), Indiana, Eastern Iowa, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.
1108 Federal Reserve Bank Bldg., Kansas City, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Western Iowa, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.
326 McKnight Building, Minneapolis, Minn.	Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.
225 Southwest Broadway Artisan's Building, Portland, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

§ 229.15 *Release of collateral.* The producer may obtain the return of notes secured by flaxseed at any time prior to maturity, upon the payment of the principal amount due thereon, plus accrued interest and charges. No allowance will be made for storage by Commodity Credit Corporation. The loan paper may be sent to an approved bank for collection or the producer may ascertain the amount due and remit directly to the officer of Commodity Credit Corporation holding the paper. Partial releases of collateral will be made as follows:

(a) In the case of farm-stored flaxseed, the producer must identify to Commodity Credit Corporation the seal number of the bin to be released. Such release must cover all the flaxseed in any one bin. Such release will be made upon payment of the amount loaned on the particular bin of flaxseed, plus interest.

(b) In the case of elevator-stored flaxseed, producers desiring to obtain partial release should notify the office of Commodity Credit Corporation serving the area in which the flaxseed is stored, describing the flaxseed to be released, by warehouse receipt numbers. Each partial release must cover all the flaxseed under one warehouse receipt. The warehouse receipt representing flaxseed will be released against payment of the amount loaned on the flaxseed to be released, plus interest on such amount and any charges applicable thereto.

[SEAL]

J. B. HUTSON,  
President.

JUNE 6, 1942.

[F. R. Doc. 42-6614; Filed, July 11, 1942;  
11:35 a. m.]

## TITLE 7—AGRICULTURE

### Chapter VIII—Sugar Agency

#### PART 802—SUGAR DETERMINATIONS

##### VIRGIN ISLANDS

##### SUGAR COMMERCIALLY RECOVERABLE FROM SUGARCANE

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.52 *Sugar commercially recoverable from sugarcane in the Virgin Islands.* The amount of sugar commercially recoverable from the sugarcane grown on a farm in the Virgin Islands and marketed (or processed by the producer) for the extraction of sugar shall be the amount obtained by multiplying the number of short tons of such sugarcane by the average number of hundredweights of sugar, raw value, recovered per short ton of sugarcane at the mill where such sugarcane is ground. Such average number of hundredweights of sugar recovered per short ton of sugarcane shall be established by dividing the total number of hundredweights of sugar produced (in terms of the average polarization of such sugar) at the mill where the sugarcane is ground by the total number of short tons of sugarcane ground during the applicable grinding season, and by converting the resulting quotient to raw value basis in accordance with the provisions of Title I of the Sugar Act of 1937, as amended. (50 Stat. 910; 7 U.S.C. 1132)

Done at Washington, D. C., this 13th day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6643; Filed, July 13, 1942;  
11:27 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter II—Aircraft

#### PART 21—USE OF ARMY AIRCRAFT

##### AIRCRAFT ACCIDENTS

Section 21.10<sup>1</sup> is hereby amended to read as follows:

§ 21.10 *Aircraft accidents; damage to persons or private property.* (a) In case of damage to private property, the senior individual surviving or, if all members of the crew are incapacitated, the first officer to reach the scene will:

(1) Interview the property owner to establish whether or not a claim will be submitted.

(2) Secure statement on W.D., A.A.F. Form No. 17 (Damage to Private Property Certificate) signed by the owner as to whether a claim will or will not be made.

(3) Secure from witnesses as many affidavits as possible concerning the cause, nature, and extent of damage.

(4) Owners of damaged property will be informed that the Government is responsible only for damage done by the aircraft or incident to its repair or removal.

(b) The provisions of this section apply also to damage to persons so far as applicable. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 95-120, June 18, 1942]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6697; Filed, July 11, 1942;  
10:17 a. m.]

#### PART 22—ASSISTANCE TO CIVIL AIRCRAFT<sup>2</sup>

##### USE OF GOVERNMENT AIRDROMES OR LANDING FIELDS

Sections 22.1, 22.3, 22.4, 22.6, and 22.7 are hereby changed to read as follows:

§ 22.1 *Use of Government airdromes or landing fields for privately owned aircraft.* (a) Owners of private aircraft will not be permitted to use any active Government airdrome as a base. However, the use of such airdrome by operators of private aircraft may be permitted in the discretion of the commanding officer of the post, upon condition that the aircraft is not operated for profit, that it is housed in privately owned hangars not located in Government land, except as hereinafter provided, and that assistance will not be required from the personnel of the post as to maintenance, repair, or operation.

(b) In the case of Government owned airdromes announced from time to time

<sup>1</sup> 6 F.R. 2619.

<sup>2</sup> The regulations contained in §§ 22.1, 22.3, 22.4, 22.6 and 22.7 are also contained in AR 95-50, dated June 18, 1942, the particular paragraph being shown in brackets at end of sections. Sections 22.2 and 22.5 were continued in effect without change in revision of AR 95-50.



as being on an active status, operators of private and commercial aircraft may be permitted, when airdrome facilities are available, to use such facilities subject in each case to the approval of the War Department and under such regulations as are now or may hereafter be prescribed.

(c) With regard to airdromes leased by the Government, owners of private and commercial aircraft may obtain permits from the lessor to use the facilities at such airdromes under the rules and regulations that apply to the use of the airdromes by army organizations. In all cases, however, this permit must have the approval of the War Department.

(d) Operators of aircraft making use of facilities at any Army Air Forces airdrome will be required to conform to the local rules and regulations in force at that post.

(e) While owners of private aircraft are not permitted to use any Government airdrome or landing field as a base, the post commander may in an emergency permit them to use such landing field, provided the aircraft require no Government supplies or property. [Par. 2]

§ 22.3 *Rules to be observed.* (a) Civil aircraft utilizing the air navigation facilities owned or operated by the War Department will at all times comply with the air and ground rules and regulations promulgated by the War Department, the Commanding General, Army Air Forces, or the commanding officer of the establishment to which the facilities being employed pertain.

(b) These rules and regulations may be obtained by application to The Adjutant General, Washington, D. C.

(c) Any violation of these rules and regulations will be made the subject of a report to The Adjutant General. [Par. 4]

§ 22.4 *Emergency sales.* Commanding officers of Army Air Forces stations are authorized to make emergency sales of aircraft fuel, oil, equipment, and supplies, and to furnish mechanical service, temporary shelter, and other assistance for cash in emergencies where such supplies or assistance is required in order that aircraft may continue on its course to the nearest airport operated by private enterprise. [Par. 5]

§ 22.6 *Emergency storage and overhauling.* (a) Civil aircraft damaged to such an extent that major repairs are required may be given emergency storage at the request of the pilot, provided necessary facilities are available, at the rates for shelter shown in § 22.7, but a major or minor overhauling of civil aircraft will not be made at Army Air Forces stations by Army personnel.

(b) Damaged aircraft may, when facilities are available, be stored in its original damaged condition, but the Government will not assume any responsibility for its safekeeping and the owner will be required to take charge of it and remove it from Government storage at the earliest date possible. [Par. 7]

§ 22.7 *Prices to be charged.*—(a) *General.* All articles will be sold and assistance furnished at the fair market value prevailing locally, but in no case will aviation supplies be sold for less than cost price plus 15 percent for transportation, handling, etc.

(b) *In case of nonavailability of supplies in nearby localities.* In cases where similar supplies are not available in nearby localities the price charged will be cost price plus 15 percent.

(c) *Aviation supplies, except gasoline and oil.* On all aviation supplies, except gasoline and oil, the price listed in Army Air Forces catalogs will be considered as the cost price.

(d) *Gasoline and oil.* Cost prices on aviation gasoline and oil will be published semiannually by the Commanding General, Army Air Forces, based on the prevailing contract price.

(e) *Mechanical services.* (1) Mechanical services furnished will be charged for on the same basis as the local rate for similar work if such rates can be determined by Army Air Forces station commanders.

(2) In case there are no local firms employing similar types of mechanics and a fair local value for such services cannot be determined, mechanical service will be charged for at the rate of \$1.25 per hour per mechanic.

(f) *Shelter.* Charges for shelter of civil aircraft will be made at the rate of \$1 per single-engine airplane per day and \$3 per dual or multiple engine airplane per day, where no local price for shelter has been established. The free storage of airplanes owned and operated, not for profit, by Regular Army personnel, Reserve officers when on active duty, and officers of the National Guard when in the Federal service, is authorized when facilities are available and the storage can be accomplished without interruption to normal operations. [Par. 8]

(Sec. 5 (c), 44 Stat. 571; 49 U.S.C. 175)

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6600; Filed, July 11, 1942;  
10:15 a. m.]

## Chapter IX—Transport

### PART 94—PRIORITIES FOR AIR TRANSPORTATION

Sections 94.1 to 94.8, published in the FEDERAL REGISTER June 18, 1942,<sup>1</sup> are superseded by §§ 94.1 to 94.5, as follows:

Sec.

94.1 Priority classifications.

94.2 By whom priorities may be granted.

94.3 Priority transportation on scheduled air carriers.

94.4 Special instructions for passengers and priority requesting agencies.

94.5 Priority air cargo stamp and passenger air priority certificate.

AUTHORITY: §§ 94.1 to 94.5, inclusive, issued under sec. 1, 39 Stat. 645; 10 U.S.C. 1361.

SOURCE: Priorities for Air Transportation Directive No. 4, June 4, 1942.

<sup>1</sup> 7 F.R. 4525.

§ 94.1 *Priority classifications.*—(a) *Priority for air transportation.* (1) Priority for air transportation will be extended to and only to:

(i) Personnel engaged upon essential war work, including members of the armed forces, other employees of the government, representatives of allied governments, and civilian personnel.

(ii) Essential war materials.

(2) These priorities will only be authorized for urgent passenger travel or shipments vital to the war effort; they will not include usual inspection trips except for highest officials engaged in the war effort. Merely because an individual is a member of the armed forces or is engaged in war work will not in itself entitle him to priority in the use of air transport. Priorities will not be granted where the mission of the individual can be satisfactorily accomplished if travel is performed by train.

(3) Priority for air trips requiring less than two hours and where destination can be reached by rail within six hours of desired departure time from originating point will be granted only upon specific approval by the Chief of Transportation Service or his air priority control offices, and this approval will be given only in cases of emergency.

(4) Air Transport priority establishes, in order of time, the precedence of movements of air passengers and air cargo on scheduled air carriers. The purpose is to assure that space on air carriers is made available when required for the national war effort.

(b) *Priority classifications and identifications.* General classification for priority are shown below and will normally take precedence in the order listed. However, the Chief of Transportation Service, Services of Supply, War Department, shall have authority to change the priority classification assigned any individual or cargo movement when such re-classification appears to be to the best interest of the national war effort and his decision shall be final. In such cases, the importance and urgency of the mission to be accomplished in connection with the war effort shall determine the priority assigned the individual or shipment for air transportation.

(1) *Class 1.*—(i) *Personnel.* Personnel of the White House or others for whom priority air transportation is directed for accomplishment of a particular mission by the President, the Secretary of War, or the Secretary of the Navy.

(ii) *Identification.* Priority certificate (See § 94.5 (b)) giving Classification No. 1; or direct instructions from the Chief of Transportation Service, Services of Supply, by letter, telegram, or telephone (no certificate required).

(2) *Class 2.*—(i) *Personnel.* Airplane Pilots of the Ferrying Commands of the Army, Navy, and Marine Corps traveling under orders issued by these Commands or their subordinate Unit Commanders, their Adjutants or Operations Officers, when such orders specifically direct travel by military or fastest available commercial aircraft. This priority shall authorize one hundred (100) pounds of



baggage per passenger, including both free and excess baggage.

(ii) *Identification.* Orders which identify the passengers as Ferrying Command Pilots and which direct travel by "Military or fastest available commercial aircraft". If traveling under secret orders the pilots will present a priority certificate (See § 94.5 (b)) giving Classification No. 2, and duly authenticated by Unit Commanders, Adjutants or Operations Officers of the Ferrying Commands.

(3) *Class 3—(i) Personnel.* Military personnel (Army, Navy, Marine Corps, Coast Guard and Allied Military Personnel) or other persons whose air travel is specifically ordered by the Military authorities and civilians for whom emergency air travel is essential to expedite war production, construction or other activities in connection with the war program.

(ii) *Identification.* Military Special Orders (not merely an air transportation request or authorization) which include the phrase "TD by Air" (Travel directed by air); or priority certificate (See § 94.5 (b)) marked priority Class 3; or direct instructions from the Chief of Transportation Service by letter, telegram or telephone (no certificate required).

(4) *Class 4—(i) War materials.* Army and Navy equipment, ammunition, supplies, and materials essential to the war effort specifically ordered moved by priority air transportation by the War Department, (Chief of Transportation Service, Services of Supply) or a branch office of the Chief of Transportation Service.

(ii) *Identification.* Direct instructions by letter, telegram, or telephone from the Chief of Transportation Service, Services of Supply, or a branch office of the Chief of Transportation Service; or identified en route by a priority label or stamp which will be affixed to the shipment by the airline at point of origin of air shipment. [Sec. I]

§ 94.2 *By whom priorities may be granted—(a) Class 1 Priority.* President of the United States; Secretary of War; Secretary of the Navy; Chief of Transportation Service, Services of Supply, or officers in charge of Air Priority Control offices of the Chief of Transportation Service.

(b) *Class 2 priority.* Commanders of Airplane Pilots Ferrying Commands, their subordinate unit commanders, their adjutants and operations officers, Chief of Transportation Service, Services of Supply, or officers in charge of Air Priority Control offices of the Chief of Transportation Service.

(c) *Class 3 priority.* Commanding officers of the armed forces who are authorized to issue travel orders; the Chief of Transportation Service, Services of Supply; officers in charge of Air Priority Control offices established by the Chief of Transportation Service; and others who may be specifically authorized by the Chief of Transportation, Services of Supply.

(d) *Class 4 priority.* Chief of Transportation Service, Services of Supply,

and officers in charge of Air Priority Control offices established by the Chief of Transportation Service.

(e) *General.* Only persons authorized to grant priorities may issue certificates. Priorities may be directed by letter, telegram or telephone, giving the same general information as called for in a certificate, as well as by certificate. [Sec. II]

§ 94.3 *Priority transportation on scheduled air carriers—(a) Priority for air travel.* A priority for air travel is a demand upon an air carrier for a space reservation between points in accordance with the priority classifications issued to facilitate the prompt execution of a mission essential to the war effort. With the exception noted in priority class 2, it shall include movement of the normal allowance (40 pounds) of free baggage.

(b) *Directives—(1) Issuance.* Directives governing priority will be issued by the Office of the Military Director of Civil Aviation in accordance with priorities established by the Chief of Transportation Service, Services of Supply, as the necessity becomes apparent, governing the transportation of persons and cargo by air necessary to the successful prosecution of the war effort.

(2) *Obligation of air carriers.* Compliance with directives is mandatory upon the air carriers to whom they are issued.

(c) *Origin of request for air priority.* (1) Requests for priority air transportation will be made upon the Air Priority Division, Office of the Chief of Transportation Service, Washington, D. C., Room 5317, Department of Commerce Building (Telephone Executive 2460, Branch 1240) or upon Air Priority Control Offices established by the Chief of Transportation Service, Services of Supply, by:

(i) Government Departments or Agencies having knowledge of the necessity for air transportation requested.

(ii) Army or Navy officers assigned as plant resident inspectors, engineers, or representatives at production plants, or on construction projects.

(iii) In the case of individuals and plants engaged in the War program, at which no Army or Navy representative is assigned, requests for priority will normally be made through the Government Department or Agency in whose interest the travel or transportation is required but in emergency may be made direct to the Air Priorities Division, Office of the Chief of Transportation Service, Services of Supply, or to the Air Priority Control Office.

(2) The Army or Navy officer or the Government Department or Agency representative upon whom the request for priority air transportation is made, will make such investigation as is necessary to assure himself that the transportation requested is necessary to the successful prosecution of the war effort, and submit the request to the closest air priority office.

(3) The Air Priority Division Office in Washington, D. C., and Air Priority Control Offices established by the Chief

of Transportation Service will not make actual reservations for air transportation but will function only in the establishment of priorities. Reservations or shipping arrangements must be made direct with the air carriers through the usual channels.

(d) *Policy for administering priorities—(1) Registration and order of consideration of air priorities.* Passengers or cargo with the same priority classification shall take precedence in the order that they are registered with the priority branch offices established by the Chief of Transportation Service, Services of Supply, where such are located, or with the local Air Transport Priority Representative, by the airline making the reservation.

(2) *Displacement of priority passengers or cargo.* Priority passengers or cargo will not be displaced enroute by other priority passengers or cargo of the same classification but will be displaced by passengers or cargo of higher classification. When it becomes necessary to displace priority passengers or cargo, the Priority Representative on duty will designate the priority to be removed based on instructions from the Chief of Transportation Service.

(e) *Responsibility of Government Departments and Agencies.* (1) Government Departments and Agencies must exercise care to assure that requests for priority air travel are limited to movements essential to the successful prosecution of the war effort.

(2) Government Departments and Agencies are requested to appoint an official or officials who will have authority to act as liaison representative between their particular department or agency and the Chief of Transportation Service, Service of Supply, or individuals or firms requesting priority air transportation. The names and telephone numbers of these liaison representatives will be reported to the Air Priority Division, Chief of Transportation Service, Room 5317, Department of Commerce Building, (Executive 2460, Extension 1240) for reference. [Sec. II]

§ 94.4 *Special instructions for passengers and priority requesting agencies.*

(a) Unless specifically authorized by the Chief of Transportation Service, Services of Supply, air priorities may not be exercised on a specific flight or specific airline except when no alternative flights or lines will serve the purpose of the mission.

(b) When air priorities for passengers or cargo are desired, except when already authorized by previously issued orders or certificates, the following information should be submitted with the request:

(1) Name of the passenger or number, dimensions and weights of items in shipment.

(2) Address of the passenger, or person in care of whom passenger or shipment can be located and/or address of location of shipment.

(3) Telephone number of passenger, or telephone number of person in care of whom shipment can be located.

(4) Consignee and consignor (for cargo requests).



(5) Can shipment be divided (for cargo).

(6) Brief statement setting forth why air priority is necessary.

(7) Points between which priority is requested.

(8) Earliest time at which passenger or shipment will be available for air transportation.

(9) Latest arrival possible at destination to complete the mission.

(10) Name and authority of person requesting the priority.

(c) Priority air travel or shipment having been approved, the passenger or shipper shall notify the air carrier concerned without delay of the reservation desired, and of the priority certificate or orders directing travel by air. Immediately upon receipt of this information, the airline will register the priority with the Air Priority Control Office or the local air transport priority representative. Air Priority Control Officers, airlines, or local air transport priority representatives may require that priority credentials be presented at any time in advance of the flight departure. In the case of priority cargo the airline will be advised of the priority by the Air Priority Control Office, or local air transport priority representative.

(d) Passengers who are entitled to priority and intend to exercise same should so inform the airline at the time reservation is made.

(e) When tickets are purchased, check to see if they are properly stamped to indicate priority classification.

(f) Passengers who fail to establish their priority status at point of origin of their trip may not exercise priority at a point enroute on any one continuous trip. Such priorities may be established only by the Chief of Transportation Service, Services of Supply, or his priority branch office.

(g) After a priority reservation has been established and space confirmed to the passenger, air lines are not required to honor the same priority for a subsequent flight, unless the original reservation is cancelled at least three hours prior to scheduled departure of the original flight. Exceptions will be made when the passenger secures the specific approval of the Chief of Transportation Service, Services of Supply, his priority branch offices or the authorized person who granted the priority, or when the failure to use or cancel the original reservation resulted from circumstances beyond the control of the passenger.

(h) Priority certificates must be surrendered to the air carrier when ticket is purchased. Passengers making stopovers enroute must be provided with individual priority certificates for each portion of their journey unless reservations have been booked in advance and their tickets have been stamped to show their priority classification. Tickets or portions of tickets on which reservations have not been made will not be stamped to indicate priority. [Sec. III]

§ 94.5 *Priority air cargo stamp and passenger air priority certificate—(a) Facsimile of priority air cargo stamp.*

#### PRIORITY CARGO

Priority Class #-----  
Due Destination-----  
By (Date)-----  
Shipment of-----pieces  
(Sig.)-----

(b) *Passenger air priority certificate.*

Pursuant to authority of the Chief of Transportation Service, Services of Supply, War Department

AIR PRIORITY CLASSIFICATION No.-----

Is assigned to----- of  
(Name of Passenger)

----- for the travel  
(Business or Governmental Connection)  
described below, which is in the interest of-----  
(Govt. Dept. or Agency)

From:-----  
Must reach destination by-----  
(Date and Time)

To:-----  
Earliest possible departure-----  
(Date and Time)

This travel and the priority assigned thereto is necessary to the successful prosecution of the war effort.  
Location of the Priority Office and City at which issued:

Date:-----  
(Signature)  
of person authorized to grant priorities)  
(Rank)-----  
(Title)-----

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6606; Filed, July 11, 1942;  
10:16 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4316]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

GENE HUGHES DRUG STORES, INC. ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety.* In connection with offer, etc., of respondents' "Slendoids" or "Slendoids Nu-Form Capsules" preparation, or other similar preparations, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (1) that respondents' preparation is a cure or remedy for obesity or that it constitutes a safe, competent, or effective

treatment therefor; (2) that the use of respondents' preparation will tone up the entire system or turn fat into energy; and (3) that the use thereof will relieve the body of excess fat without harmful results; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gene Hughes Drug Stores, Inc., et al., Docket 4316, July 6, 1942]

*In the Matter of Gene Hughes Drug Stores, Inc., a Corporation, Also Trading as Sacramento Pharmacal Company; and Eugene P. Hughes, an Individual Trading as Sacramento Pharmacal Company, and as Officer of Gene Hughes Drug Stores, Inc.*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondents upon the record; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

*It is ordered,* That the respondents, Gene Hughes Drug Stores, Inc., a corporation, trading as Sacramento Pharmacal Company or trading under any other name, its officers, representatives, agents, and employees, and Eugene P. Hughes, an individual trading as Sacramento Pharmacal Company or trading under any other name, and as officer of the corporate respondent Gene Hughes Drug Stores, Inc., his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of their preparation known as "Slendoids" and as "Slendoids Nu-form Capsules," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating, or causing to be disseminated, any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference,

(a) That respondents' preparation is a cure or remedy for obesity or that it constitutes a safe, competent, or effective treatment therefor;

(b) That the use of respondents' preparation will tone up the entire system or turn fat into energy;

(c) That the use of respondents' preparation will relieve the body of excess fat without harmful results;

(2) Disseminating, or causing to be disseminated, any advertisement by any



means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of respondents' preparation, which advertisement contains any of the representations prohibited in paragraph (1) hereof and the respective subdivisions thereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-6609; Filed, July 11, 1942;  
11:13 a. m.]

### PART 3—DIGEST OF CEASE AND DESIST ORDERS

#### THE MILK CAP STATISTICAL BUREAU, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of paper disc milk bottle caps, and on the part of respondents, The Milk Cap Statistical Bureau, its manager and executive secretary, the members of its executive committee, and its various member-manufacturers, and their agents, etc., entering into, carrying out, or aiding or abetting the carrying out of any agreement, understanding, combination, conspiracy, or concert of action between and among any two or more of said respondents, with or without the cooperation of others not parties hereto, for the purpose or with the capacity, tendency, or effect of restricting, restraining, monopolizing, or eliminating competition, in the sale in commerce of said paper disc milk bottle caps, and, pursuant thereto, (1) fixing or maintaining prices for the sale of various types of paper disc milk bottle caps in said commerce; (2) fixing or maintaining uniform discounts, terms, conditions of sale or freight charges to be observed in the sale of paper disc milk bottle caps in said commerce; (3) fixing or maintaining uniform quantity prices or price differentials on quantity purchases based upon quantity purchases from all sources as are fixed and determined by jobber rating books or dairy rating books or other similar devices; (4) consulting, or communicating in any manner, with the respondent Bureau, or any of its officials, for the purpose of obtaining consent or agreement relative to prices at which paper disc milk bottle caps should be sold; (5) limiting the number or quantity of paper disc milk bottle caps which jobber customers or dairy customers may contract for, with, or purchase from, the respondent manufacturers; (6) preventing the sale of paper disc milk bottle caps to so-called "super-jobbers" or mill agents or cooperative buying agencies and confining the sale of such products exclusively to jobbers and dairy consum-

ers; (7) forwarding, by the respondent manufacturers, to the respondent Bureau, invoices, or copies thereof, showing the details in respect to prices, discounts and terms of sale at which paper disc milk bottle caps are being sold; (8) compiling, publishing, or distributing a "Jobber Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies jobbers of paper disc milk bottle caps according to the total number of paper disc milk bottle caps purchased annually; (9) compiling, publishing, or distributing a "Dairy Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies dairies according to the total number of paper disc milk bottle caps used annually; and (1) holding and sponsoring meetings of the respondent manufacturers for the discussion and interchange of information relative to prices, discounts, conditions, charges, or terms to be fixed for the sale of paper disc milk bottle caps; prohibited, subject to the provision, however, as respects said ninth prohibition, that nothing therein contained shall be construed to prevent respondents, or any of them, from compiling, publishing, or distributing for the use of respondent manufacturers and others, such information as to the annual paper disc milk bottle cap requirements of the respective dairies as may enable each manufacturer to check or determine the propriety of any orders or contracts which may be received by it, if and when such information is not used for the purpose or with the effect of establishing corresponding ratings or classifications of dairies, or corresponding price differentials, that are uniform among respondents. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Milk Cap Statistical Bureau, et al., Docket 4448, July 8, 1942]

*In the Matter of The Milk Cap Statistical Bureau, an Unincorporated Trade Association; George J. Lincoln, Jr., as Manager and Executive Secretary of The Milk Cap Statistical Bureau; Ray W. Blodgett, George W. Rohrbach, Robert H. Schulz, as Members of the Executive Committee of The Milk Cap Statistical Bureau; Atlas Paper Box Company, a Corporation; Great Lakes Bottle Cap Company, a Corporation; Robert S. Leonard Company, a Corporation; L. Livingston Company, a Corporation; Fowler E. Macy and Edna B. Macy, Copartners Doing Business Under the Firm Name Fowler E. Macy Company; Mid-West Bottle Cap Company, a Corporation; National Manufacturing Company, a Corporation; Ohio Bottle Cap Company, a Corporation; Piqua Cap Company, a Corporation; Sealright Company, Inc.; Smith-Lee Company, Inc.; All Members, Respectively, of The Milk Cap Statistical Bureau; Standard Cap and Seal Corporation*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into between counsel representing all the respondents, excepting Standard Cap and Seal Corporation, and W. T. Kelley, Chief Counsel for the Commission, which provides among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondents herein, excepting Standard Cap and Seal Corporation, findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, The Milk Cap Statistical Bureau; its manager and executive secretary, George J. Lincoln, Jr.; the members of its executive committee, Ray W. Blodgett, George W. Rohrbach, and Robert H. Schulz; and its members, Atlas Paper Box Company, a corporation; Great Lakes Bottle Cap Company, a corporation; Robert S. Leonard Company, a corporation; L. Livingston Company, a corporation; Fowler E. Macy and Edna B. Macy, copartners doing business under the firm name Fowler E. Macy Company; Mid-West Bottle Cap Company, a corporation; National Manufacturing Company, a corporation; Ohio Bottle Cap Company, a corporation; Piqua Cap Company, a corporation; and Sealright Company, Inc. and Smith-Lee Company, Inc., and their agents, representatives and employees, in connection with the offering for sale, sale and distribution of paper disc milk bottle caps, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, carrying out, or aiding or abetting the carrying out of any agreement, understanding, combination, conspiracy, or concert of action between and among any two or more of said respondents, with or without the cooperation of others not parties hereto, for the purpose or with the capacity, tendency, or effect of restricting, restraining, monopolizing, or eliminating competition, in the sale in commerce of said paper disc milk bottle caps and from doing any of the following acts and practices pursuant thereto:

1. Fixing or maintaining prices for the sale of various types of paper disc milk bottle caps in said commerce;

2. Fixing or maintaining uniform discounts, terms, conditions of sale or freight charges to be observed in the sale of paper disc milk bottle caps in said commerce;

3. Fixing or maintaining uniform quantity prices or price differentials on quantity purchases based upon quantity purchases from all sources as are fixed and determined by jobber rating books or dairy rating books or other similar devices;

4. Consulting, or communicating in any manner, with the respondent Bureau, or any of its officials, for the purpose of



obtaining consent or agreement relative to prices at which paper disc milk bottle caps should be sold;

5. Limiting the number or quantity of paper disc milk bottle caps which jobber customers or dairy customers may contract for, with, or purchase from, the respondent manufacturers;

6. Preventing the sale of paper disc milk bottle caps to so-called "super-jobbers" or mill agents or cooperative buying agencies and confining the sale of such products exclusively to jobbers and dairy consumers;

7. Forwarding, by the respondent manufacturers, to the respondent Bureau, invoices, or copies thereof, showing the details in respect to prices, discounts and terms of sale at which paper disc milk bottle caps are being sold;

8. Compiling, publishing, or distributing a "Jobber Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies jobbers of paper disc milk bottle caps according to the total number of paper disc milk bottle caps purchased annually;

9. Compiling, publishing, or distributing a "Dairy Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies dairies according to the total number of paper disc milk bottle caps used annually: *Provided, however*, That nothing herein contained shall be construed to prevent respondents, or any of them, from compiling, publishing, or distributing for the use of respondent manufacturers and others, such information as to the annual paper disc milk bottle cap requirements of the respective dairies as may enable each manufacturer to check or determine the propriety of any orders or contracts which may be received by it, if and when such information is not used for the purpose or with the effect of establishing corresponding ratings or classifications of dairies, or corresponding price differentials, that are uniform among respondents.

10. Holding and sponsoring meetings of the respondent manufacturers for the discussion and interchange of information relative to prices, discounts, conditions, charges, or terms to be fixed for the sale of paper disc milk bottle caps.

*It is further ordered*, That this proceeding be, and the same hereby is, dismissed as to respondent Standard Cap and Seal Corporation.

*It is further ordered*, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-6642; Filed, July 13, 1942;  
11:01 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 50677]

#### PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

##### FORT YUKON AIRFIELD, ALASKA

##### REDESIGNATION AS AIRPORT OF ENTRY<sup>1</sup>

JULY 9, 1942.

The Fort Yukon Airfield, Fort Yukon, Alaska, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from July 6, 1942. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 42-6586; Filed, July 10, 1942;  
3:34 p. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter III—Bituminous Coal Division

[Docket No. A-1479]

#### PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

##### ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for revision of price exception 5 in the schedules of effective minimum prices for District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting revision of Price Exception 5 in the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Shipments to permit all code members in the district under specified conditions to sell their stained off-grade coals in certain size groups at prices to the extent of 15¢ per net ton below the otherwise applicable minimum prices for such coals; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows; Commencing forthwith § 334.1 (*Price in-*

<sup>1</sup> This document affects the tabulation in 19 CFR 4.13.

*structions and exceptions—(b) Price exceptions*) and § 334.21 (*Price instructions and exceptions—(b) Price exceptions*) in the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Shipments are revised by amending Price Exception 5 thereof to read as follows: "Prices listed herein for all code members in all production groups may be reduced to the extent of 15¢ per net ton for stained off-grade coals in Size Groups 1 through 8 inclusive and Size Group 18, provided District Board No. 14, upon the petition of the producer or upon the Board's own motion and subject to the approval of the Bituminous Coal Division, determines that such coal is stained off-grade coal. All orders, agreements and invoices shall contain a complete description of such stained off-grade coals."

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and application to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. *It is further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6639; Filed, July 13, 1942;  
10:30 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[Amendment 67, 2d Ed.]

#### PART 622—CLASSIFICATION

##### DEFERMENT; DEPENDENCY; MISCELLANEOUS AMENDMENTS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.31<sup>1</sup> to read as follows:

§ 622.31 *Class III-A: Man deferred by reason of dependency.* In Class III-A shall be placed any registrant who has one or more dependents as defined in § 622.32 and who is not engaged in a civilian activity which is necessary to war production or which is supporting the war effort. (For exceptions see § 622.36.)

2. Amend § 622.31-1<sup>2</sup> to read as follows:

<sup>1</sup> 6 F.R. 6809; 7 F.R. 3056.

<sup>2</sup> 7 F.R. 3056.



§ 622.31-1 *Class III-B: Man deferred both by reason of dependency and activity.* In Class III-B shall be placed any registrant who has one or more dependents as defined in § 622.32 and who is engaged in a civilian activity which is necessary to war production or which is supporting the war effort. (For exceptions see § 622.36.)

3. Amend § 622.32 to read as follows:

§ 622.32 "*Dependent*" defined. To be considered as a dependent of a registrant:

(a) A person must be the wife or child of the registrant with whom the registrant maintains a bona fide family relationship in their home, or a person must depend for support upon the registrant and be either the wife or child (with whom the registrant does not maintain a bona fide family relationship in their home) divorced wife, parent, brother, sister, grandparent, grandchild, a person under 18 years of age whose support the registrant has assumed in good faith, or a person of any age physically or mentally handicapped whose support the registrant has assumed in good faith; and

(b) Such status must have been acquired prior to December 8, 1941, and at a time when the registrant's selection was not imminent.

4. Amend § 622.33<sup>2</sup> to read as follows:

§ 622.33 *Certain relatives defined.*

(a) The term "child" includes an unborn child, a child legally adopted, or a child born out of wedlock, but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

(b) The term "parent" includes a person who is supported in good faith by the registrant in a relationship similar to that of parent and child.

(c) The term "brother" or "sister" shall include only a person having one or both parents in common with the registrant who is either under 18 years of age or is physically or mentally handicapped.

5. Delete § 622.34 in its entirety.

6. Amend § 622.35<sup>3</sup> to read as follows:

§ 622.35 *Director to prescribe what constitutes support.* From time to time, the Director of Selective Service may prescribe the circumstances under which a person may be considered to be dependent for support upon a registrant.

7. Amend Part 622 by adding a new section to be designated as § 622.36<sup>4</sup> to read as follows:

§ 622.36 *Director may direct that dependents be disregarded.* The Director of Selective Service, notwithstanding any other provision of these regulations, may direct that any or all registrants having dependents as defined in § 622.32 be classified or reclassified in the same manner as registrants who do not have such dependents.

<sup>2</sup> 7 F.R. 3056.

<sup>3</sup> 6 F.R. 6609; 7 F.R. 3770.

No. 137—3

8. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

JULY 11, 1942.

[F. R. Doc. 42-6634; Filed, July 13, 1942; 10:17 a. m.]

[Amendment 68, 2d Ed.]

#### PART 632—INDUCTION CALLS

##### SELECTION TO FILL INDUCTION CALL

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 632.3<sup>1</sup> to read as follows:

§ 632.3 *Selection of men to fill induction call.* (a) Each local board, when it receives a call, shall select a sufficient number of specified men to fill the call. It shall first select specified men who have volunteered for induction. To fill the balance of the call, it shall select specified men from such group or groups as the Director of Selective Service may designate, provided that within a group selection shall be made in sequence of order numbers.

(b) A specified man to whom an Allen's Personal History and Statement (Form 304) has been mailed shall not be selected to fill a call unless and until the armed forces have indorsed upon such form that he "is, if otherwise qualified" acceptable to the armed forces.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

JULY 11, 1942.

[F. R. Doc. 42-6635; Filed, July 13, 1942; 10:17 a. m.]

#### Chapter VIII—Board of Economic Warfare

##### Subchapter B—Export Control

#### PART 801—GENERAL REGULATIONS

##### ASPHALT AND ASPHALT PRODUCTS

Section 801.2 *Prohibited exportations*<sup>2</sup> is amended in the following particulars:

In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below (at every place where said commodities appear

<sup>1</sup> 6 F.R. 6848; 7 F.R. 2092.

<sup>2</sup> 7 F.R. 4952, 5060, 5115.

in said section) are amended to read as follows:

Commodity	Gen. Lic. group
ASPHALT	
Asphalt & bitumen, natural, manuf- actured, including asphalt cement, emulsion and prepared road asphalt.	C
Asphalt & bitumen, natural, unman- ufactured.	C
MISCELLANEOUS	
Asphalt roofing.	C

This amendment shall become effective July 11, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong., Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

GEORGE V. PARKHURST,  
Acting Chief,  
Export Control Branch,  
Office of Exports.

[F. R. Doc. 42-6585; Filed, July 10, 1942; 2:41 p. m.]

#### PART 801—GENERAL REGULATIONS

##### PART 802—GENERAL LICENSES

##### PART 803—UNLIMITED LICENSES

#### ANIMALS AND ANIMAL PRODUCTS; IRON AND STEEL MANUFACTURES

Section 801.2, *Prohibited exportations* is hereby amended in the following particulars:

The descriptions of, and the general license group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Depart- ment of Com- merce No.	General Licen- se group
Animals and animal products, in- cludes:		
Live animals, n. e. s. (includes poultry and fur-bearing animals).	0009	K
Eggs, live.	0009	None
Animals, killed.		
Feathers, live.	0010	None
Poultry, live (except pigeons).	0010	K

§ 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the lists of commodities set forth in paragraphs (a) and (b) thereof the following:

Pigeons, live

§ 803.2 *Commodities and countries of destination* is hereby amended by adding to the list of commodities set forth in paragraph (b) thereof the following:

Iron & Steel Mfrs.—Tools. Other hand tools and parts (including metal measuring tapes and rules).

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong., Order



No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

GEORGE V. PARKHURST,  
Acting Chief, Export Control  
Branch, Office of Exports.

[F. R. Doc. 42-6593; Filed, July 11, 1942;  
9:21 a. m.]

**PART 809—SHIPPING PRIORITY RATINGS  
APPEALS FOR HIGHER RATINGS**

Paragraph (b) of § 809.8 *Appeals for higher ratings*<sup>1</sup> is hereby amended to read as follows:

(b) When articles and materials are to be exported under an individual license, an exporter who desires a higher rating than that which has been assigned may appeal by submitting, in triplicate, an "Appeal for Higher Shipping Priority Rating". Such appeal shall state the name of the licensee, the export license number, the rating assigned thereunder, a description of the articles and materials (as described in the license), and the reasons why a higher rating should be assigned. In addition, the following information will be stated relative to the articles and materials to be exported.

(1) Portion of the shipment which has been exported.

(2) Portion of the shipment which is at point of exit from the United States ready to be exported.

(3) Name of point of exit through which export is scheduled to be made.

(4) Location of goods at point of exit: in railroad cars, railroad storage, other?

(5) Portions of the shipment which remain to be forwarded to points of exit.

(6) Where information is available, state the stage of manufacture of such portions: completed, in process, not started?

(7) Date or dates when these portions are scheduled to move to point of exit.

(8) Name of city or town from which these portions will move.

(9) Name and address of shipper in city or town specified in subparagraph (8).

(10) Whether or not the material is manufactured to specifications normally in use in the United States. (If manufactured to foreign specifications, explain.)

If the appeal is granted, a notice of higher shipping priority rating will be forwarded to the applicant, to be attached to the license.

(Sec. 6, 54 Stat. 714 Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

GEORGE V. PARKHURST,  
Acting Chief, Export Control  
Branch, Office of Exports.

JULY 9, 1942.

[F. R. Doc. 42-6584; Filed, July 10, 1942;  
2:41 p. m.]

<sup>1</sup> 7 F.R. 5271.

**Chapter IX—War Production Board**

**Subchapter B—Division of Industry Operations**

**PART 933—COPPER**

[Amendment 3 to Conservation Order M-9-c,  
as Amended May 7, 1942]

**CURTAILING THE USE OF COPPER IN CERTAIN  
ITEMS**

Section 933.4 (*Conservation Order M-9-c*<sup>1</sup>) is hereby amended in the following respects:

(a) Paragraph (c) is hereby amended to read as follows:

(c) *Applicability of order to certain Governmental agencies.* (1) Until August 1, 1942, the prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacture, processing, assembling or finishing of any item or article, or part thereof, which is being produced for purchase by, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) The prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacture, processing, assembling or finishing of any item or article on the "Military Exemption List", or part thereof, which is being produced for purchase by, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order."

(b) The following "Military Exemption List" is added to the order, after the end of List "A-1" of Copper Conservation Order M-9-c as amended May 7, 1942:

*Military Exemption List of Copper Conservation Order M-9-c as amended May 7, 1942*

Binoculars.

Valves (for use on board ship).

(P.D. Reg. 1, as amended, 6 F.R. 6880; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671,

<sup>1</sup> 7 F.R. 3424, 8660, 3745, 4205, 4480, 4535 and infra.

76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6587; Filed, July 10, 1942;  
4:10 p. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order No. S-65]

Warwick Laboratories Corporation of Brooklyn, N. Y. is engaged in the manufacture of automotive parts and is subject to the provisions of Preference Rating Order P-54,<sup>1</sup> Limitation Order L-4,<sup>2</sup> and Priorities Regulation No. 1.<sup>3</sup>

During the months of November and December, 1941, the Company obtained a large quantity of brass hooks and nickel steel split rivets by means of an A-3 Preference Rating pursuant to Preference Rating Order P-54. The Company did not use the material so obtained for the purpose specified in Preference Rating Order P-54 and thereby violated that order and Priorities Regulation No. 1.

During the period from September 15, 1941 to December 31, 1941 the Company manufactured 205,144 universal joint cover units which was 31,141 units in excess of the amount it was permitted to manufacture under the provisions of Limitation Order L-4 and the manufacture thereof constituted a violation of that order.

During the period from September 15, 1941 to December 31, 1941 the Company manufactured 15,520 gallons of hydraulic brake fluid for use in passenger automobiles and light trucks which was 7,775 gallons in excess of the amount it was permitted to manufacture under the provisions of Limitation Order L-4 and the manufacture thereof constituted a violation of that order.

These violations of Preference Rating Order P-54, Limitation Order L-4, and Priorities Regulation No. 1 have impeded and hampered the war effort of the United States by diverting materials to uses not authorized by the Director of Industry Operations. In view of the foregoing facts,

*It is hereby ordered:*

§ 1010.65 *Suspension Order S-65.* (a) Deliveries of material or equipment to Warwick Laboratories Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied or assigned to such deliveries by any Preference Rating Certificate, Preference Rating Order, General Preference Order, or any other order or regulation of the Director of Industry Operations, except as the Director of Industry Operations may specifically direct.

<sup>1</sup> 6 F.R. 4731, 5273, 5677; 7 F.R. 30, 515, 1703, 2579, 2678, 3882.

<sup>2</sup> 7 F.R. 5117, 5127.

<sup>3</sup> 6 F.R. 4489, 6680; 7 F.R. 1493, 1835, 2235, 3311, 3428, 4832.



(b) No allocation to Warwick Laboratories Corporation, its successors and assigns, shall be made of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(c) Nothing contained in this order shall be deemed to relieve Warwick Laboratories Corporation, its successors and assigns, from any restrictions, prohibitions, or provisions contained in any other order or regulation of the Director of Industry Operations except insofar as the same may be inconsistent herewith.

(d) This order shall take effect on July 12, 1942 and shall expire on October 12, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 5125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6588; Filed, July 10, 1942;  
4:10 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-68]

##### GREAT WESTERN BRASS FOUNDRY

Harry Rushton, doing business in Denver, Colorado, as Great Western Brass Foundry, buys brass and copper and casts saddle horns, brass parts for plumbing items, and makes lead traps with brass parts for plumbing fixtures.

Subsequent to January 1, 1942, Great Western Brass Foundry used copper in the production of saddle horns without regard for the limitation placed by Conservation Order M-9-c<sup>1</sup> upon the use of copper for this item. At the time of the manufacture the foundry, through Mr. Rushton, knew of the restrictions imposed by Order M-9-c. Consequently, this use of copper was a willful violation of Conservation Order M-9-c.

This willful violation of Conservation Order M-9-c has impeded and hampered the war effort of the United States by diverting scarce materials to a use prohibited by the War Production Board. In view of the foregoing facts,

*It is hereby ordered, That:*

§ 1010.68 *Suspension order S-68.*

(a) Harry Rushton, individually or doing business as the Great Western Brass Foundry, his successors and assigns, are prohibited from receiving, processing, or delivering copper or copper base alloy, as defined in Conservation Order M-9-c, except as specifically authorized by the Director of Industry Operations.

(b) Harry Rushton, doing business as the Great Western Brass Foundry, shall submit within ten days from the effective

date of this order, a schedule of its inventories of copper, copper base alloy, and finished and semi-finished brass and copper items to the Inventory and Requisitioning Branch, War Production Board, Washington, D. C.

(c) Nothing contained in this order shall be deemed to relieve Harry Rushton, individually or doing business as Great Western Brass Foundry, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 13, 1942, and shall expire on October 13, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6589; Filed, July 10, 1942;  
4:10 p. m.]

#### PART 962—IRON AND STEEL

[Supplementary Order M-21-c, as Amended  
July 11, 1942]

##### TIN PLATE AND TERNE PLATE

Supplementary Order M-21-c (§ 962.6) is amended to read as follows, effective immediately:

§ 962.6 *Supplementary Order M-21-c—*  
(a) *Definitions.* For the purposes of this order:

(1) *Tin plate* means steel sheets coated with tin (including primes, seconds, and waste-waste) and includes:

(i) *Electrolytic tin plate*, in which the tin coating is applied by electrolytic deposition.

(ii) *Hot dipped tin plate*, in which the tin coating is applied by immersion in molten tin.

(2) *Terne plate* means steel sheets coated with terne metal (including primes, seconds, and waste-waste) and includes:

(i) *Short ternes*, meaning steel sheets generally referred to as black plate, coated with terne metal, and

(ii) *Long ternes*, meaning steel sheets other than black plate, coated with terne metal.

(3) *Terne metal* means the lead-tin alloy used as the coating for terne plate.

(4) *Process* means cut, draw, stamp, spin, or otherwise shape.

(5) *Put into process* means the first change by a manufacturer in the form of material from that form in which the tin plate or terne plate is received by him.

(b) *Restrictions on use of tin plate and terne plate.* Except to the extent specified in Schedule A or with specific permission of the Director of Industry Operations:

(1) No person shall use tin plate, or terne plate in the production of any item or part thereof.

(2) No person shall use hot dipped tin plate with a pot yield exceeding 1.25 pounds per base box.

(3) No person shall use electrolytic tin plate with a tin coating in excess of .50 pound per base box.

(4) No person shall use short ternes with a terne coating in excess of 1.30 pounds per base box.

(5) No person shall use long ternes with a terne coating in excess of 4 pounds per base box.

(c) *Restrictions on use of terne metal.* Except with the specific permission of the Director of Industry Operations,

(1) No person shall use terne metal except in the production of terne plate.

(2) No person shall coat short ternes with terne metal containing over 15 percent tin.

(3) No person shall coat long ternes with terne metal containing over 10 percent tin.

(d) *Restrictions on production, sale, and delivery of tin plate and terne plate.*

(1) No person shall produce, sell, or deliver tin plate or terne plate to or for the account of any person if he knows or has reason to believe that such material will be used in violation of the terms of this order or any other or further order or direction of the Director of Industry Operations.

(2) A person producing, selling, or delivering tin plate or terne plate may rely on the certificate of his customer that such material will not be sold or used except in compliance with this order and all other orders of the Director of Industry Operations. Such statement shall be a representation to the War Production Board and shall be preserved by the seller for a period of at least two years.

(e) *Exceptions as to materials in inventory.* (1) Exceptions granted prior to July 11, 1942, permitting use of material in inventory, are hereby confirmed. All other exceptions are revoked as of July 11, 1942.

(2) The provisions of paragraph (b) shall not apply to roofing materials or to furnace pipe and fitting materials in inventory on May 16, 1942, to be sold or delivered for maintenance and repair purposes regardless of rating or on orders for defence housing, as permitted by the Defense Housing Critical List.

(3) The provisions of paragraph (b) shall not apply to materials in inventory (other than materials referred to in paragraph (e) (2)) which on May 16, 1942 had been put into process, or had been painted, lacquered, lithographed, or enameled.

(f) *Exception for Army, Navy, and Maritime Commission orders.* The provisions of paragraphs (b) and (c) shall not apply in the case of articles to be purchased by or for the account of the Army or Navy of the United States, or the United States Maritime Commission, or to be physically incorporated into products to be so purchased, to the extent that the use of tin plate or terne plate is required by the specifications

<sup>1</sup> 7 F.R. 3424, 3660, 3745, 4205, 4480, 4635 and *infra*.



(including performance specifications) of the Army or Navy of the United States, or the United States Maritime Commission applicable to the contract, subcontract, or purchase order, provided, however, that the seller of such material must obtain from his customer a statement in duplicate (except when the sale or delivery of such material is made to a warehouse, in which case the warehouse must obtain such statement from its customer) setting forth the name of the article to be manufactured, the use for which it is intended, and the government contract number, and provided that the seller shall immediately forward a duplicate of such statement to the War Production Board, Iron and Steel Branch, Washington, D. C., Ref.: M-21-e.

(g) *Reports of frozen stocks.* Any person who possesses stocks of tin plate or terne plate and who is unable to sell, deliver, or use such material because of the provisions of this order shall file in duplicate immediately with the War Production Board, Iron and Steel Branch, Washington, D. C., Ref.: M-21-e, an itemized list of such material giving quantity (in net tons), size, gauge, and weight of coating.

(h) *Restrictions on tin consumption.* During the first calendar quarter of 1942 and during each calendar quarter thereafter, no person shall use tin in the production of tin plate or terne plate in excess of the quota assigned to such person by the Director of Industry Operations.

(i) *Special directions.* The Director of Industry Operations may from time to time issue special directions as to production, sale, delivery, and use of tin plate and terne plate, which may include directions as to the tin or lead content thereof.

(j) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him or would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of tin plate and/or terne plate conserved, or that compliance with this order would disrupt or impair a program of conversion from non-war to war work, may apply to the War Production Board, Iron and Steel Branch, Washington, D. C., Ref.: M-21-e, setting forth the pertinent facts and the reasons he considers he is entitled to relief. No appeal will be considered until the provisions of paragraph (g) have been complied with. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(k) *Applicability of other orders.* Insofar as any other order of the Director of Industry Operations may have the effect of limiting to a greater extent than herein provided the use of any material in the production of any item, the limitation of such order shall be observed.

(l) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Iron and Steel Branch,

Washington, D. C.—Ref.: M-21-e. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong.,

as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July, 1942

J. S. KNOWLSON,  
Director of Industry Operations.

#### SCHEDULE A

Permitted Uses	Permitted materials	Maximum permitted coating of tin or of terne metal
1. Cans.....	As specifically authorized by or pursuant to Conservation Order M-31, as amended.	
2. Closures.....	As specifically authorized by or pursuant to Conservation Order M-104, as amended.	
3. Baking pans for institution and commercial bakers.	Hot Dipped Tin Plate.....	1.25 lbs. per base box.
4. Dairy ware and equipment, including dairy pails, milk strainer pails, hooded milking pails, milk kettles, setter or cream cans, weigh cans, measures and test ware, bottle conveyors, ice cream freezers, milk filters, receiving tanks, separators, strainers, upper and lower troughs and covers for surface type heaters and coolers, and testing equipment.	Electrolytic Tin Plate.....	0.50 lbs. per base box.
	Hot Dipped Tin Plate.....	3.30 lbs. per base box (2a Charcoal).
5. Cheese Vats.....	Hot Dipped Tin Plate.....	11 lbs. per base box.
	(Hot Dipped Tin Plate.....	3.30 lbs. per base box (2A Charcoal).
6. Gas meters.....	Electrolytic Tin Plate.....	0.50 lbs. per base box.
	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.
7. Oil Lanterns.....	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.
8. Textile spinning cylinders, card screens, spools and bobbins.	Hot Dipped Tin Plate.....	1.25 lbs. per base box.
9. Gasoline Tanks.....	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.
10. Radiators for internal combustion engines.	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.
11. Chaplets, skimgates and tin forms for foundry use.	Hot Dipped Tin Plate.....	1.25 lbs. per base box.
	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.
12. Torpedoes for oil and gas well shooting.	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.
13. Carbide non-explosive emergency lights.	Short Ternes.....	1.30 lbs. per base box.
	Long Ternes.....	4 lbs. per base box.

[F. R. Doc. 42-6616; Filed, July 11, 1942; 12:00 m.]

#### PART 968—SILK WASTE, SILK NOLLS AND GARNETTED OR RECLAIMED SILK FIBER

[General Preference Order M-26, as Amended July 11, 1942]

Section 968.1 (*General Preference Order M-26*) is hereby amended to read as follows:

§ 968.1 *General Preference Order M-26*—(a) *Restrictions on deliveries.* No person shall hereafter deliver, or accept delivery of, any silk waste, silk nolls or garnetted or reclaimed silk fiber except upon purchase orders for physical incorporation into material or equipment to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, its Operating or General Agents.

(b) *Restrictions on processing.* No person shall process any silk waste, silk nolls or garnetted or reclaimed silk fiber, except by dressing and spreading the same, or upon purchase or manufacturing orders therefor for physical incorporation into material or equipment to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, its Operating or General Agents.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of silk waste, silk nolls and garnetted or reclaimed silk fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Ref.: M-26, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(d) *Certification.* Each order placed pursuant to paragraphs (a) and (b) hereof shall be accompanied by a certificate signed by, or on behalf of the person placing the said purchase or manufacturing order, in substantially the following form:

This order is for silk waste, silk nolls or garnetted or reclaimed silk fiber, as the case may be, for physical incorporation into material or equipment to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission, or the War Shipping Administration, its Operating or General Agents.



(e) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as shall from time to time be required by said Board.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: "War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Ref.: M-26"

(h) *Violations.* Any person who willfully violates any provision of this Order, or who, in connection with this Order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6622; Filed, July 11, 1942;  
12:01 p. m.]

#### PART 1073—FIRE PROTECTIVE EQUIPMENT

[General Limitation Order L-39, as amended  
July 11, 1942]

Section 1073.1 (*General Limitation Order L-39*) is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war effort, for private account and for export, of materials entering into the production of fire protective equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 1073.1 *General Limitation Order L-39*—(a) *Definitions.* For the purpose of this order:

(1) "Fire protective equipment" means:

Automatic fire alarm systems.  
Automatic sprinkler systems.  
Couplings, playpipes and allied fittings.  
Fire hydrants.  
Hose dryers.  
Hose racks.  
Indicator posts.  
Lightning rods.

Piped extinguisher systems.  
Portable fire extinguishers, including back pack types.  
Portable generators.  
Stirrup pumps.  
Water spray nozzles.

and all other fire protective devices and appliances for preventing and extinguishing fires, excepting: self-propelled and trailer types of fire apparatus, and parts and accessories therefor.

(2) "Stirrup pump" means a manually operated portable piston type pump used to draw water or other liquid from a separate container to extinguish or control fires.

(3) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 percent of the weight of all metal in the alloy.

(b) *General restrictions*—(1) *Restrictions on use of scarce materials in fire protective equipment.* Except as provided in paragraph (c) below, or upon specific authorization of the Director of Industry Operations, no person shall incorporate in fire protective equipment, or parts thereof, any aluminum, bismuth, cadmium, chromium, copper, copper base alloy, lead, mercury, monel metal, nickel, tin, stainless steel, zinc, asbestos, rubber, neoprene or other synthetic rubber, except to the extent permitted by Appendix A hereof.

(2) *Restrictions on 2½" brass fire hose couplings.* Except on specific authorization of the Director of Industry Operations, no 2½" brass fire hose couplings in the possession or control of any fire hose manufacturer or distributor on April 27, 1942, shall be transferred, sold or used.

(3) *Restrictions on foam extinguishers.* No person shall purchase or accept delivery of any foam extinguisher except for use in the protection of inflammable liquids, and no person shall sell or deliver any foam extinguisher which he knows or has reason to believe will be used in violation of this paragraph.

(4) *Restrictions on manufacture of stirrup pumps.* Except as provided in paragraph (c) (2) below, no person shall manufacture any stirrup pumps or parts thereof, except to fill purchase orders from the United States Army, Navy, Maritime Commission, War Shipping Administration, Defense Supplies Corporation, or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, "An Act to Provide for the Defense of the United States." (Lend-Lease Act).

(5) *Restrictions on manufacture of foam and alkali metal (loaded stream) extinguishers.* No person shall in any quarter complete the manufacture of any type of foam, alkali metal salt solution (loaded stream), or back pack extinguishers in excess of 25% of the total of such type (irrespective of size) manufactured during the twelve month period ending November 30, 1941, except to fill purchase orders or contracts from any purchaser listed in subparagraphs (i), (ii) or (iii) below. In determining the number of extinguishers manufactured

during said twelve month base period ending November 30, 1941, extinguishers manufactured to fill contracts or purchase orders from any of the following shall be excluded:

(i) The United States Army, Navy, Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The government of any of the following countries: the United Kingdom, Canada, and other dominions; Crown Colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to or for the account of any country listed above, or any other country including those in the western hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(c) *General exceptions.* (1) Paragraphs (b) (1) and (b) (2) shall not apply to:

(i) Completed fire protective equipment or parts thereof (excepting brass couplings), which were finished and ready for assembly on February 27, 1942, provided such fire protective equipment or parts are delivered to fill purchase orders bearing a preference rating of A-2 or higher, or

(ii) Brass fire hose fittings, brass fog spray nozzles and brass fog spray nozzle applicators (and attachments for such applicators) for a period of 90 days after July 11, 1942, provided said items are delivered to fill purchase orders from the United States Navy, Maritime Commission, or War Shipping Administration, and are for use on board ship, or are delivered to fill purchase orders from the Panama Canal, or

(iii) Brass fire hose fittings, brass fog spray nozzles and brass fog spray nozzle applicators (and attachments for such applicators) for a period of 90 days after July 11, 1942, provided said items are delivered to fill purchase orders from the United States Navy, Maritime Commission, or War Shipping Administration, and are for use on board ship, or are delivered to fill purchase orders from the Panama Canal, or

(iv) Carbon dioxide extinguishers manufactured in accordance with specifications of the United States Army, Navy, Maritime Commission, or War Shipping Administration, provided such carbon dioxide extinguishers are delivered to fill purchase orders bearing a preference rating of A-1-j or higher.

(2) Paragraph (b) (4) shall not apply to stirrup pumps manufactured entirely from other than non-ferrous metal parts which were fabricated or semi-fabricated on the 11th day of July, 1942.

(d) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or im-

<sup>17</sup> F.R. 1597, 3083, 3363, 3807, 3989.



prisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Communications.* All reports required to be filed hereunder, or communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Branch, Washington, D. C.—Ref.: L-39. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

APPENDIX A—TO GENERAL LIMITATION ORDER  
L-39 AS AMENDED JULY 11, 1942

Pursuant to the provisions of paragraph (b) of the above order, the following materials may be incorporated in the manufacture of fire protective equipment, or in component parts thereof, to the extent indicated:

(1) Aluminum, primary or secondary:  
(i) In extinguishers for use in airplanes;

(ii) As foil in electric condensers for automatic fire alarm systems, approved by Underwriters' Laboratories, Inc., or Factory Mutual Laboratories, to the extent essential to the efficient functioning of such condensers; or

(iii) (Secondary aluminum only) in zinc die castings not in excess of 2 percent by weight; or up to 4 percent upon specific authorization of the Director of Industry Operations;

(2) Bismuth, as a component of fusible link alloy:

(3) Cadmium:

(i) As a component of fusible link alloy or solder;

(4) Chromium:

(i) For plating of parts of automatic fire alarm systems and sprinkler heads to the extent essential to the efficient functioning of such systems or heads; or

(ii) As a component of stainless steel the use of which is permitted by paragraph (10) hereof;

(5) Copper or copper base alloys, in:

(i) Pumps for carbon tetrachloride extinguishers, and other pumps for extinguishers manufactured within 90 days after July 11, 1942, for delivery to or for the account of the United States Army,

Navy, Maritime Commission, or War Shipping Administration.

(ii) Lock nuts on removable hose connections:

(iii) Bodies, ends, inner chambers, valves and their component parts for vaporizing liquid, 2½ gallon foam extinguishers, or loaded stream extinguishers:

(iv) Fittings, strainers, syphon tubes and valves for carbon dioxide and gas operated dry powder extinguishers;

(v) Twin and special nozzles of pump type extinguishers;

(vi) Snap clamps, clamp pins and expansion rings on "Jones" type fire hose couplings;

(vii) Latch assembly and expansion rings of "British" type fire hose couplings to the extent essential to the efficient functioning of the parts;

(viii) Swivels, wires and expansion rings on screw type fire hose couplings;

(ix) Swivels, wire, rollers and expansion rings of suction hose couplings;

(x) Hose and hydrant adaptors;

(xi) Swivels, wires, clappers and seats of Siamese connections;

(xii) Playpipes made only from drawn or brazed sheet brass or cast brass, not more than 2½" in diameter at the base, and no more than 15" long;

(xiii) Ball type and cylinder type shut-off nozzles;

(xiv) Nozzle tips;

(xv) Portable deluge nozzles, not including tips and handles;

(xvi) The following hydrant fittings to the extent essential to their efficient functioning: valve seat discs, guides, operating valve stems, stuffing boxes, nuts, bolts, bushings, rivets and retainer rings;

(xvii) The following indicator post fittings to the extent essential to their efficient functioning: valve stems, seats, discs, packing glands and glands of bonnet openings;

(xviii) The following parts of portable generators and fixed pipe systems, to the extent essential to their efficient functioning: generator bodies except bases; shut-off valves except handles; screens and check valves;

(xix) Water spray nozzles with orifice openings in head of ⅛" diameter and smaller, and in scroll for amounts up to and including those attached to ¾" pipe;

(xx) Lightning rods for electrical power stations and industrial plant stacks;

(xxi) Valve seats, discs, stems and guides;

(xxii) The following parts of automatic sprinkler systems and automatic fire alarm systems, approved by Underwriters' Laboratories, Inc. or Factory Mutual Laboratories:

Actuating units of Aero Alarms.

Air Check Housing.

Air Tubing A.

Angle Pieces.

Armature Links.

Arm Links.

Attaching Collars.

Auxiliary Levers.

Baffles.

Balls.

Ball Rivets.

Bearing Plates.

Bearings.

Bell Line Bleeders.

Bolts.

Bonnets.

Brushes.

Bucket Wheels.

Burrs.

Bushings.

Caps.

Center Pieces.

Clappers.

Clapper Latches.

Clapper Latch Levers.

Clapper Stops.

Clips.

Condenser Parts.

Conductors.

Connections.

Connection Links.

Connectors.

Contact Holders.

Contact Operating Levers.

Contact Plungers.

Contact Posts.

Contacts.

Contact Sockets.

Couplings.

Covers.

Cylinder Valve Supports.

Deflectors.

Diaphragms.

Diaphragm Plates.

Diaphragm Plungers.

Diaphragm Rods.

Discs.

Disc Clamps.

Disc Holders.

Disc Rods.

Ejector Bodies.

Elbows.

Enclosing Boxes and Covers.

Escapement Levers, holders, and ratchets.

Frames for Sealed Sprinkler Heads.

Fulcrum Levers.

Gaskets.

Gates.

Glands.

Gland Clamps.

Gland Holders.

Glass Holders.

Guide Rods.

Guide Rod Plates.

Hammers.

Hooks.

Housings.

Inlet Restrictions.

Inserts.

Jumpers.

Keys.

Knee Pieces.

Labels of Inspecting Laboratories.

Latches.

Latch Rollers.

Lever Heads.

Lever Rollers.

Levers for Sprinkler Heads.

Liners.

Links.

Lock Bars.

Lock Spacers.

Lower Shells.

Manifold Blocks.



Manual Pull Gans.  
 Manual Pull Levers.  
 Mercoid Plates.  
 Mercury Check Header Bars and Manifolds.  
 Monitor Valve Holders.  
 Monitor Valve Seats.  
 Nipples.  
 Nozzle Strainers.  
 Nuts.  
 Operating Levers.  
 Pawls.  
 Pilots.  
 Pilot Valve Parts.  
 Pin Holders.  
 Pinions.  
 Pins.  
 Plates.  
 Plugs.  
 Plungers.  
 Plunger Discs.  
 Pressure Regulator Parts.  
 Pull Cables.  
 Pull Rods.  
 Pump Valve Levers.  
 Pump Valve Seats.  
 Quadrants.  
 Reduction Levers.  
 Release Frames.  
 Releasing Levers.  
 Relief Valve Housings.  
 Reseating Latches.  
 Reset Buttons.  
 Restrictions.  
 Reset Lugs.  
 Restriction Tubes.  
 Retaining Plates.  
 Rocker Arms.  
 Roll Rams.  
 Rollers.  
 Screens.  
 Screws.  
 Sealing Eyes.  
 Sealing Wires.  
 Seat Holders.  
 Seats.  
 Shafts.  
 Sight Slides.  
 Siren Valve Bodies.  
 Siren Valve Seats.  
 Snap Action Frames.  
 Snap Action Rolls.  
 Socket Pieces.  
 Spacers.  
 Spring Guides.

Spring Lugs.  
 Spring Retainers.  
 Springs.  
 Stems.  
 Studs.  
 Supports.  
 Switches.  
 Switch Carriages.  
 Switch Holders.  
 Sylphons.  
 Sylphon Bases.  
 Sylphon Caps.  
 Terminals.  
 Test Connectors.  
 Test Fingers.  
 Test Tubing Connections.  
 Tie Rods.  
 Tongue Flanges.  
 Tongue Latches.  
 Tongue Plates.  
 Tube Solder Plates.  
 Tubing and Fittings.  
 Upper Shells.  
 Valve Holders.  
 Valve Guides.  
 Valve Rods.  
 Valves, not over 2 inches.  
 Valve Stems.  
 Velocity Bodies.  
 Velocity Check Plugs.  
 Velocity Clappers.  
 Vent Adaptors.  
 Vent Bodies.  
 Vent Elbows.  
 Vent Ties.  
 Washers.  
 Wedges.  
 Weight Bottom Plates.  
 Weight Guide Rods.  
 Weight Guides.  
 Weight Latches.  
 Weight Pawls.  
 Weight Stops.  
 Wire and Cable.  
 Yokes.  
 Yokes Collars.  
 (6) Lead:  
 (i) As a component of fusible link alloy or solder;  
 (ii) In underground pipe connections to the extent essential to efficient functioning of such connections, and in hose connections for hydrants;  
 (iii) In copper base alloys, the use of which is permitted by paragraph (5) hereof;

(iv) As required for extinguisher nozzles;

(7) Mercury, as required in check valves for automatic alarm systems;

(8) Nickel, as a component of stainless steel the use of which is permitted by subparagraph (10) hereof;

(9) Tin:

(i) As a component of fusible link alloy;

(ii) In copper base alloys the use of which is permitted by paragraph (5) hereof, but only where no tin-free alloy can be used and only to the extent essential to efficient functioning;

(iii) In condenser parts for automatic fire alarms;

(iv) Up to 30 percent by weight, in metals used in the coating of copper or of copper alloys for anti-corrosion protection;

(v) Up to 5 percent by weight in metal for coating steel shells;

(vi) In solder up to 30 percent by weight; or up to 50 percent upon specific authorization by the Director of Industry Operations.

(10) Stainless steel:

(i) In hinge pins; or

(ii) In the construction of mercury check valves.

(11) Zinc:

(i) In automatic fire alarm systems, to the extent essential to efficient functioning;

(ii) In copper alloys, the use of which is permitted by paragraph (5) hereof;

(iii) In die cast parts;

(iv) As protection of iron or steel parts against corrosion; or

(v) As sheet to the extent that corrosion-resistant metal is essential to efficient functioning.

(12) Asbestos in gaskets on fixed foam applicator pipes and hydrants;

(13) Crude or reclaimed rubber for diaphragms or gaskets, and reclaimed rubber for hose for fire extinguishers;

(14) Synthetic rubber other than neoprene, to the extent essential to efficient functioning.

[F. R. Doc. 42-6617; Filed, July 11, 1942; 12:00 m.]



## PART 1115—FUEL OIL

[Amendment 1 to Limitation Order L-56, as amended<sup>1</sup>]

Section 1115.1 *Limitation Order L-56*, as Amended, paragraphs (b) (9), (b) (10) and (b) (11) is hereby amended to read as follows:

(b) *Definitions.* \* \* \*

(9) "Area One" means the area specified in paragraph (a) of Exhibit "A" hereof.

(10) "Area Two" means the area specified in paragraph (b) of Exhibit "A" hereof.

(11) "Area Three" means the area specified in paragraphs (c) and (d) of Exhibit "A" hereof.

Section 1115.1 *Limitation Order L-56*, as Amended, paragraph (i) is hereby amended to read as follows:

(i) *Appeals and applications.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate.

Any appeal involving a defense housing project shall be filed with the local Federal Housing Administration office which shall review such appeal and transmit it, together with specific recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, Department of the Interior, Washington, D. C., for further proceedings. All other appeals shall be filed as follows:

If appellant is located in Area One or in the area specified in paragraph (c) of Area Three, Exhibit "A", the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, 122 East 42d Street, New York, New York.

If appellant is located in the area specified in paragraph (d) of Area Three, Exhibit "A", the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, 855 Subway Terminal Building, Los Angeles, California.

If appellant is located in Area Two, Exhibit "A", the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, Suite 1336, 120 South LaSalle Street, Chicago, Illinois.

The District Director of Marketing shall promptly investigate and consider the matter and shall seek to bring about a voluntary settlement of the controversy in accordance with the provisions of this Order. In the event that no settlement can be reached, then the District Director of Marketing shall forward the appeal and record thereon, together with his recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, Washington, D. C.

Section 1115.1 *Limitation Order L-56*, as Amended, Exhibit "A" is hereby amended to read as follows:

## Exhibit "A"

(a) *Area One:* The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Appalachian River in the State of Florida.

(b) *Area Two:* The States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee and Wisconsin.

(c) *Area Three:* All of the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

(d) The States of Oregon and Washington.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6615; Filed, July 11, 1942; 12:00 m.]

## PART 1119—METAL PLASTERING BASES AND METAL PLASTERING ACCESSORIES

[Amendment 2 to Limitation Order L-59<sup>1</sup>]

Paragraph (b) of § 1119.1 (*Limitation Order No. L-59*) is hereby amended to read as follows:

(b) *General restrictions.*—(1) *Class A manufacturers.* Except as provided in subparagraphs (4), (5) and (6) of section (b) of this order, as amended, during the four-months' period from July 1, 1942 to October 31, 1942, inclusive, no Class A manufacturer shall incorporate into metal plastering bases and/or metal plastering accessories, other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories, any metal in excess of  $\frac{1}{2}$  of 10% (by weight) of the total quantity of that metal which was incorporated into metal plastering

bases and/or metal plastering accessories, other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941; nor shall such manufacturer incorporate into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of  $\frac{1}{2}$  of 25% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941.

(2) *Class B manufacturers.* Except as provided in subparagraphs (3), (4), (5) and (6) of this paragraph, as amended, during the four-months' period from July 1, 1942 to October 31, 1942, inclusive, no Class B manufacturer shall incorporate into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of  $\frac{1}{2}$  of 50% (by weight) of the total quantity of that metal which was incorporated into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941; nor shall such manufacturer incorporate into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of  $\frac{1}{2}$  of 35% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941.

(3) Except as provided in subparagraphs (4), (5), and (6) of this paragraph, as amended, and notwithstanding subparagraph (2) of this paragraph, as amended, during the four months' period from July 1, 1942, to October 31, 1942, inclusive, any Class B manufacturer who had not produced any metal plastering bases and/or metal plastering accessories previous to July 1, 1940, shall not incorporate into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of  $\frac{1}{2}$  of 50% (by weight) of the total quantity of that metal which was incorporated into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of  $\frac{1}{2}$  of 35% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar year 1941; nor shall such manufacturer incorporate into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of  $\frac{1}{2}$  of 35% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar year 1941.

(4) Notwithstanding the provisions of subparagraphs (1), (2) and (3) of this paragraph as amended, in the case of

<sup>1</sup> 7 F.R. 3547.

<sup>1</sup> 7 F.R. 2296, 3713.



each manufacturer who was engaged in the manufacture of metal plastering bases and/or metal plastering accessories prior to July 1, 1940, there shall be deducted from the quotas established by subparagraphs (1), (2) and (3) of this paragraph, as amended, the amount by which the quota of the previous four-months' period as established by this Order was exceeded by such manufacturer whether by permission of the War Production Board, upon appeal or otherwise.

(5) To the extent that any manufacturer does not incorporate into metal plastering bases and/or metal plastering accessories any quantity of zinc which he is permitted, by subparagraphs (1) and (2) of this paragraph, as amended, to incorporate into metal plastering bases and/or metal plastering accessories he may increase by an equal amount the weight of iron and/or steel which he incorporates into metal plastering bases and/or metal plastering accessories.

(6) To the extent that any manufacturer does not incorporate into any metal plastering bases and/or any metal plastering accessories metal out of the quota which he is permitted by subparagraphs (1), (2) and (3) of this paragraph, as amended, he may, with the consent of the Director of Industry Operations, transfer the unused portion of such quota for the four months' period from July 1, 1942, to October 31, 1942, to any other manufacturer, and such other manufacturer may incorporate metal equal in weight to such unused portion of such quota into any metal plastering bases and/or any metal plastering accessories notwithstanding the provisions of subparagraphs (1), (2) and (3) of this paragraph, as amended.

(7) On and after fifteen days from the date of issuance of this Order, no person shall take delivery of any material for manufacture into any metal plastering bases and/or metal plastering accessories except deliveries pursuant to an order or contract placed by him which bears a preference rating assigned under the Production Requirements Plan.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6623; Filed, July 11, 1942;  
12:02 p. m.]

**PART 1122—METAL HOUSEHOLD FURNITURE**  
[Amendment 3 to General Limitation Order L-62.]

Section 1122.1 (*General Limitation Order L-62*) is hereby amended in the following particular:

Paragraph (b) (7) is hereby amended to read as follows:

(7) Notwithstanding the provisions of paragraph (c), any manufacturer who

possessed in his inventory prior to March 20, 1942, iron, steel, zinc or zinc alloy die casting containing not over 2% of aluminum in the net weight thereof which had been so fabricated or processed into Venetian blind parts prior to March 20, 1942, that it cannot be used for any purpose other than the production of the Venetian blind parts that it was originally fabricated or processed for, may to the extent that he uses such iron, steel, zinc or zinc alloy die casting for such production exceed the restrictions imposed upon him by paragraphs (b) (1), (b) (2), (b) (3) of this order, provided that the restrictions imposed upon him by paragraph (b) (4) are otherwise fully complied with, and further provided that no manufacturer shall after August 31, 1942, process, fabricate, work on or assemble any materials for use in the production of Venetian blinds, nor shall any manufacturer produce or assemble any Venetian blinds after that date.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6610; Filed, July 11, 1942;  
12:01 p. m.]

**PART 1138—ANTIMONY**

[General Preference Order M-112, as Amended July 11, 1942]

Section 1138.1 (*General Preference Order M-112*) is hereby amended to read as follows:

§ 1138.1 *General Preference Order M-112*—(a) *Definitions*. For the purposes of this order:

(1) "Antimony" means and includes:  
(i) Ores and concentrates, including beneficiated or treated forms, containing antimony, commercially recognized;

(ii) Antimony metal, otherwise known as "regulus" and the element antimony in commercially pure form;

(iii) Ligated antimony, sometimes known, respectively, as "needle antimony", "crude antimony", or "crudum", which is in any case the result of separating antimony sulphide from antimony ores by fusion, without essential chemical change;

(iv) Any alloy containing 50 per cent or more by weight of antimony, as defined in (i), (ii), and (iii) above;

(v) Chemical compounds which result from the primary processing of antimony ores and concentrates.

(vi) Mixtures or fusions (including frits) containing antimony oxide.

(b) *Deliveries and allocations*—(1) *Restrictions on deliveries*. Hereafter no person shall deliver or accept delivery of antimony except pursuant to specific authorization by the Director of Industry

Operations; provided that until further order and in the absence of a specific direction to the contrary by the Director of Industry Operations the following deliveries of antimony are permitted:

(i) Amounts totaling not more than 50 tons of contained antimony during any one calendar month by any person who produces antimony ores and concentrates from mines located within the continental United States or Alaska.

(ii) To any person in lots of 25 pounds or less (contained antimony), provided that the total quantity of antimony which any person may receive in one calendar month from all sources of supply pursuant to the authorization contained in this paragraph shall be limited to 25 pounds of contained antimony;

(iii) To the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., section 606 (b)), or to any duly authorized agent of any such Corporation.

(2) *Allocations*. The Director of Industry Operations will from time to time allocate the supply of antimony and specifically direct the manner and quantities in which deliveries to particular persons and for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for antimony to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Applications and reports*. (1) Unless otherwise ordered or specifically directed by the Director of Industry Operations, no person shall be entitled to receive an allocation of antimony unless not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the War Production Board and with each supplier with whom he may place a purchase order for antimony an application for such material on form PD-381, and in addition, if the quantity of antimony requested on any such application or applications for any month exceeds in the aggregate 448 pounds (contained antimony), shall have filed with the War Production Board a report on form PD-380, or such other form as said Board may from time to time prescribe.

(2) Any person who on the first day of any calendar month has in his possession or under his control a quantity of antimony in excess of 672 pounds (contained antimony), shall file a report with the War Production Board on form PD-380, on or before the 20th day of such month, whether or not such person applies for an allocation of antimony for delivery during the succeeding month.

(3) Failure by any person to file an application pursuant to the provisions of paragraph (c) (1) of this order may be construed as notice to the Director of Industry Operation and to all suppliers



of antimony that such person does not desire an allocation of antimony for the succeeding month.

(d) *Special directions.* The Director of Industry Operations may from time to time issue specific directions with respect to the kind or quantity of antimony, including antimony in the inventory of a person at the effective date of this order, which may be used in the manufacture or composition of any product or material, and the Director may also in his discretion, require the use of antimony-bearing lead scrap, secondary antimony-bearing lead alloys or any other practicable substitute in lieu of antimony, in the production of any materials or products.

(e) *Restrictions on use of antimony in certain products—(1) Prohibited uses.* No person shall use antimony in any form, including the antimony content of any alloy, scrap or secondary material, in the preparation, processing or manufacture of:

(i) White inorganic pigments for non-ceramic enamels, paints, lacquers, or printing inks, except as a reinforcing or chemical agent not to exceed 2% by weight of pure pigment contained.

(ii) White pigments, opacifiers, or frits for non-acid-resisting ceramic enamels;

(iii) Toys or decorative or ornamental objects or parts thereof.

(2) *Limitation on use in metals and alloys.* Hereafter, no person shall use more than 0.5% by weight of antimony in the composition of any metal or alloy, unless a higher percentage of antimony content is required by specification, and in no event shall such antimony content exceed the maximum specified.

(3) *Limitation on use of antimony for automotive batteries.* (i) The quantity of new antimony which may be used by any person in the production of alloys for automotive batteries shall be limited in any calendar month to not more than 7 per cent of the total contained antimony used by him for such purposes during the same period. (The balance of antimony required by such person in the production of such alloys shall be obtained from antimony-bearing scrap or secondary alloys.)

(ii) The antimony content of alloys used by any person in the production of grids for automotive batteries shall be limited as nearly as practicable to a maximum of 7% by weight, and shall in no event exceed 7.5% by weight, unless otherwise ordered or directed by the Director of Industry Operations.

(f) *Exceptions to paragraphs (e) (1) and (e) (3).* The prohibitions and restrictions contained in paragraphs (e) (1) and (e) (3) of this order shall not apply to the use of antimony in any product or part thereof which is being produced for purchase by or for the account of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard, where the use of antimony to the extent employed, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the War Shipping Administration, the

United States Maritime Commission, or the Coast Guard applicable to the contract, subcontract, or purchase order.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *General Imports Order M-63 unaffected.* Nothing contained in this order shall be construed as altering or modifying in any way the provisions of General Imports Order M-63 applicable to antimony.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Tungsten-Antimony Branch, War Production Board, Washington, D. C., Reference: M-112. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6621; Filed, July 11, 1942;  
12:01 p. m.]

#### PART 1227—AROMATIC PETROLEUM SOLVENTS

[Amendment 1 to General Preference Order M-150<sup>1</sup>]

Section 1227.1 (*General Preference Order M-150*) is amended by adding to paragraph (a) (1) of said section the following:

\* \* \* , and such term also includes all grades of xylol derived from coal tar and all other sources.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6620; Filed, July 11, 1942;  
12:01 p. m.]

#### PART 1229—ARSENIC

[Amendment 1 to General Preference Order M-152<sup>2</sup>]

Section 1229.1 (*General Preference Order M-152*) is hereby amended by adding to paragraph (c) of said section

<sup>1</sup> 7 F.R. 3887.

<sup>2</sup> 7 F.R. 3854.

two subparagraphs, numbered (3) and (4), as follows:

(3) The requirements of subparagraph (1) of this paragraph with respect to filing Form PD-490 with suppliers shall not apply to any person seeking delivery of five hundred (500) pounds or less of arsenic in any calendar quarter: *Provided, however,* That each such person shall file with his supplier, at the time of placing his order, a certificate to the effect that if the delivery covered by such order is made he will not have received during the current quarter in excess of five hundred (500) pounds of arsenic. No supplier shall make any such delivery unless he shall have received such a certificate.

(4) Each producer and each distributor, unless relieved of filing form PD-490 under the provisions of subparagraph (3) of this paragraph, shall list on form PD-490 or PD-491, as the case may be, the aggregate amount of deliveries which he proposes to make in the succeeding quarter to persons seeking delivery of five hundred (500) pounds or less of arsenic during such quarter.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6618; Filed, July 11, 1942;  
12:00 m.]

#### PART 1061—PORTABLE ELECTRIC LAMPS AND SHADES

[Amendment 3 to General Limitation Order L-33<sup>1</sup>]

Paragraph (b) (5) of § 1061.1 *General Limitation Order L-33*, as amended April 30, 1942, is hereby amended to read as follows:

(5) Notwithstanding the provisions of paragraph (b) (4), but subject to the limitations of paragraph (1) hereof, (i) A producer of portable lamps may use in the production of such lamps any metal, metal parts or lamp cords which on March 23, 1942 were in a fabricated or semi-fabricated form, in his inventory or in the inventory of his suppliers, and (ii) Any producer of lamp shades may use in the production of lamp shades, any silk which was in his inventory on March 23, 1942:

*Provided,* That such producer does not produce more portable lamps or lamp shades during any period than his quota of portable lamps or lamp shades, respectively, under the provisions of paragraph (b) (2) and (b) (3). (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as

<sup>1</sup> 7 F.R. 2274, 3234, 3662, 3883.



amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6649; Filed, July 13, 1942;  
11:43 a. m.]

#### PART 1094—COTTON DUCK

[Interpretation 1 of General Preference Order M-91, as Amended<sup>1</sup>]

The following official Interpretation is hereby issued by the Director of Industry Operations with respect to § 1094.1, General Preference Order No. M-91, as amended:

Enameling duck is a fabric made with flat warp (two ends drawn together in each harness eye) of single yarns, and with either single or plied yarns in the filling, in weights 10¼ ounces to 38 inches and lighter.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6647; Filed, July 13, 1942;  
11:43 a. m.]

#### PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M-126 as Amended July 13, 1942]

§ 1176.1 *General Conservation Order M-126*—(a) *Restrictions with respect to List A products.* Except as provided in paragraph (c):

(1) *Raw material deliveries and fabrication.* From and after May 20, 1942, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on List A or part thereof, and from and after June 19, 1942, no person shall put into process any iron or steel to make any item on List A or part thereof.

(2) *Assembly.* From and after August 3, 1942, no person shall assemble any item on List A or part thereof containing any iron or steel.

(3) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A or part thereof which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

(b) *Restrictions with respect to Supplementary List A products.* Except as provided in paragraph (c):

(1) *Raw material deliveries.* From and after the applicable governing date

(as hereafter defined) of any item on Supplementary List A, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on Supplementary List A, or part thereof.

(2) *Fabrication*—(i) *Limitation.* During the 30 days next following the applicable governing date of any item on Supplementary List A, no person shall put into process any iron or steel to make any item on Supplementary List A, or part thereof, in an aggregate weight greater than 75 percent of the average monthly weight of all metals put into process by him during 1941 in the making of such items and parts, and no person shall put into process any iron or steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on Supplementary List A, no person shall process any iron or steel to make any item on Supplementary List A, or part thereof.

(3) *Assembly.* From and after the date 60 days after the applicable governing date of any item on Supplementary List A, no person shall assemble any item on Supplementary List A, or part thereof, containing any iron or steel.

(4) *Finished item deliveries.* No person shall deliver or accept delivery of any item on Supplementary List A, or part thereof, which he knows or has reason to know was fabricated, assembled or delivered in violation of the provisions of this paragraph (b).

(c) *Exemption for Army-Navy-Maritime orders.* The provisions of paragraph (a) shall not apply to Army-Navy-Maritime orders for any item on List A or part thereof until August 4, 1942; and the provisions of paragraph (b) shall not apply to Army-Navy-Maritime orders for any item on Supplementary List A or part thereof for a period of 60 days after its governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any iron or steel for the making of any item on List A or Supplementary List A, or part thereof, unless such item or part is on List C. The provisions of paragraphs (a) and (b) shall not apply to Army-Navy-Maritime orders for any item on List C or part thereof.

(d) *Restrictions with respect to other products*—(1) *Roofing and siding.* No person shall manufacture any iron or steel into roofing or siding except:

(i) For delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) For delivery on a preference rating of A-1-k or higher assigned by a PD-3A preference rating certificate or by a preference rating order in the P-19 series; or

(iii) For defense housing, as permitted by the Defense Housing Critical List; or  
(iv) For the manufacture of railroad freight cars, street cars, busses, trucks or trailers; or

(v) For delivery to an ultimate purchaser for maintenance and repair purposes regardless of rating. With respect to this paragraph (d) (1) (v), no person may manufacture from May 5, 1942 to December 31, 1942, more than 20 percent of the roofing and siding made by him from iron or steel during the calendar year 1940; or in the calendar year 1943 and subsequent calendar years, more than 25 percent of the roofing and siding made by him from iron or steel during the calendar year 1940.

Any person manufacturing or selling any such roofing or siding may rely on the certificate of his customer that such roofing or siding will only be sold or used as permitted by this paragraph (d) (1).

(2) *Other products.* From and after May 5, 1942, no person shall use any iron or steel to make any article not on List A or Supplementary List A, or any part thereof, where and to the extent that the use of other material (excluding material on List D) is practicable. Alloy steel shall not be used when the use of carbon steel is practicable, and no more iron or steel shall be used in connection with the manufacture of any such article than is essential. The provisions of this paragraph (d) (2) shall not apply in the case of articles or parts to be purchased by or for the account of the Army or Navy of the United States or the United States Maritime Commission, or to be physically incorporated into products to be so purchased to the extent that the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission applicable to the contract, subcontract or purchase order.

(e) *Restrictions with respect to other scarce materials.* No person whose use of iron or steel is restricted by paragraphs (a), (b), (c) or (d) shall use as a substitute therefor any material on List D.

(f) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(2) *Appeal.* Any appeal from the provisions of this order must be made on Form PB-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order.* The prohibitions and restrictions contained in

<sup>1</sup> 7 F.R. 1671, 2596, 4029.

<sup>2</sup> 7 F.R. 3364, 3518, 3881, 4380, 4778.



this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on or subsequent to May 5, 1942 or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director of Industry Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(5) *Violations.* Any person who willfully violates any provision of this order or who willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order with respect to putting into process, processing, and assembling shall not apply to the installation of an item or part for the ultimate consumer on his premises when any putting into process, processing or assembling of such item or part is incidental to such installation and is done on such premises.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (2)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use steel or iron weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair.

(8) *Definitions.* For the purposes of this order:

(i) With respect to any item on Supplementary List A, or part thereof, "Governing Date" means the date set forth opposite such item in Column 2 of Supplementary List A.

(ii) "Army-Navy-Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States or the United States Maritime Commission, where the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States or the United States Maritime Commission applicable to the contract, sub-contract or purchase order.

(iii) The terms "iron" and "steel" shall not be deemed to include screws,

nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes.

(iv) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape.

(v) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(vi) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,  
*Director of Industry Operations.*

#### LIST A

##### Item

Access panels, except as required by Underwriters Code.  
Acoustical ceilings.  
Advertising novelties.  
Air-conditioning systems<sup>1</sup>—except for hospital operating rooms and industrial plants.  
Amusement park devices and roller coasters<sup>1</sup>.  
Area walls.  
Ash sieves.  
Asparagus tongs.  
Atomizers, perfume—boudoir.  
Attic fans.  
Autographic registers<sup>1</sup>.  
Automobile accessories—except as required by law.  
Automotive replacement parts, non-functional.  
Awning frames and supports.  
Bag, purse and pocketbook frames.  
Barber and beauty shop furniture.  
Baskets—except for commercial cooking and manufacturing uses.  
Bath tubs.  
B-B shot for air rifles.  
Beds—except hospital.  
Bed spring frames—except for hospital link fabric spring type bed.  
Beer kegs—except hoop and fittings for wooden kegs.  
Beer mugs.  
Beer stands.  
Beer steins.  
Bench legs—except industrial.  
Binoculars—except U. S. Government Agencies.  
Bird cages and stands.  
Bird houses and feeders.

<sup>1</sup> Maintenance and repair excepted.

Biscuit boxes.  
Blackboards.  
Blade stropers, mechanical.  
Bleachers and grandstands.<sup>1</sup>  
Book ends.  
Bottle holders.  
Boxes and trays for jewelry, cutlery, combs, toilet sets.  
Bread racks.  
Bridge splash guards.  
Building ornaments.  
Butter chips.  
Butter knives.  
Cabinets—except  
(a) Hospital operating and examining rooms.  
(b) Office furniture as permitted in Limitation Orders L-13-a, and L-62.  
Cake cutters.  
Cake tongs.  
Candy display dishes.  
Canopies for electric brooders.  
Canopies and supports.  
Cans or containers for Anti-freeze, under 5 gal. size:  
Artist supplies.  
Bouillon cubes.  
Candy.  
Caviar.  
Chalk.  
Coffee.  
Gloves.  
Incense.  
Lawn seed.  
Nuts.  
Pencils.  
Pet food.  
Phonograph needles.  
Playing cards.  
Razor blades.  
Sponges.  
Staples.  
Tennis balls.  
Tobacco products.  
Toilet water.  
Yarn.  
Carpet rods.  
Carving set holders.  
Cash boxes.  
Cash registers.<sup>1</sup>  
Casket hardware.  
Cattle stanchions—except hangers and fasteners.  
Ceilings.  
Cheese dishes.  
Chicken crates.  
Chick feeders.  
Christmas tree holders.  
Christmas tree ornaments.  
Cigar and cigarette holders and cases.  
Cigarette lighters.  
Cigar slippers.  
Clock cases—except on recording and controlling industrial instruments.  
Clothes line pulleys.  
Clothes line reels.  
Clothes racks and dryers.  
Clothes trees.  
Coal chute and door, household.  
Coal pans.  
Cocktail glasses.  
Cocktail sets.  
Cocktail shakers.  
Coffee roasting machinery.<sup>1</sup>  
Compacts.



- Cooking stoves, commercial electric.<sup>1</sup>  
 Copy holders.  
 Corn cribs.  
 Corn poppers and machines.  
 Counter tops.  
 Croquet sets.  
 Crumb trays.  
 Culverts.  
 Cupboard turns.  
 Cups of all kinds, drinking.  
 Curb guards.  
 Decorative iron products.  
 Dictaphone racks.  
 Dinner bells.  
 Dishwashing machines<sup>1</sup>—except hospitals.  
 Dispensers, hand, for—  
   Hand lotions.  
   Paper products.  
   Soap.  
   Straws.  
 Document stands.  
 Door chimes.  
 Door knockers.  
 Door closers—except fire prevention as required by Underwriters Code.  
 Door handles—except shipboard use.  
 Door stops.  
 Drain boards and tub covers, household.  
 Drawer pulls.  
 Dress forms.  
 Dummy police.  
 Dust collecting systems and Equipment—except on A-1-j or higher.<sup>1</sup>  
 Ediphone racks.  
 Egg slicers.  
 Electric water coolers—except on PD-1a or PD-3a certificates.  
 Enamel store fronts.  
 Erasing knives.  
 Escalators.<sup>1</sup>  
 Feed troughs.  
 Fence posts—except on A-2 or higher.  
 Fences, chain link—except on A-2 or higher.  
 Finger bowls.  
 Fireplace equipment—except dampers.  
 Fireplace screens.  
 Fish aquariums.  
 Flagpoles.  
 Flashlight tubes.  
 Floor and ceiling plates for piping.  
 Floor and counter covering trim.  
 Floor polishing machines.  
 Flour, salt and pepper shakers.  
 Flower boxes, pot holders, and vases.  
 Flower shears.  
 Fly traps.  
 Foot baths—except hospitals.  
 Foot scrapers.  
 Fountain pens—except functional parts.  
 Fountains, ornamental.  
 Furniture<sup>1</sup>—except—  
   (a) Wood furniture.  
   (b) As listed in Limitation Orders L-13-a and L-62.  
   (c) Hospital operating and examining rooms.  
   (d) Hospital beds and cots.  
 Garage hoists, car lifts and racks.  
 Golf bag supports.  
 Grain storage bins—except strapping, hardware, and reinforcing materials.  
 Grass shears.
- Grilles:  
 Ornamental.  
 Sewers<sup>1</sup>—except on A-2 or higher and reinforcing for concrete sewers.  
 Gutters, spouting, conductor pipe, and fittings for single family dwellings.  
 Hair curlers, non-electric.  
 Hair dryers.  
 Hand mirrors.  
 Hangers and track for garage doors for private use.  
 Hanger rings on brushes, brooms, etc.  
 Hat frames.  
 Hat-making machinery.<sup>1</sup>  
 Hedge shears.  
 Helmets—except on A-2 or higher.  
 Hose reels—except—  
   (a) Fire fighting equipment.  
   (b) Industrial uses in direct fire hazard areas.  
 House numerals.  
 Ice box exteriors—except portable blood banks.  
 Ice cream freezers, household.  
 Ice cube trays.  
 Ink well holders.  
 Incinerators—except industrial, commercial and as allowed in Defense Housing Critical List.  
 Insulation, metal reflecting type.  
 Jam boxes.  
 Jelly molds.  
 Jewelry.  
 Jewelry cases.  
 Kitchenware of stainless steel.  
 Knitting needles.  
 Lard or vegetable oil tubs—except 5 lbs and over and straps for wood containers.  
 Laundry chutes.  
 Laundry trays—except reinforcing mesh.  
 Lavatories—except hangers.  
 Lawn sprinklers.  
 Letter chutes.  
 Letter openers.  
 Letter trays.  
 Lighting poles and standards.<sup>1</sup>  
 Lipstick holders.  
 Lobster forks.  
 Lobster tongs.  
 Lockers—except—  
   (a) Oil refinery use.  
   (b) Office equipment as limited by Limitation Order L-13-a.  
 Looseleaf binding wire, rings, posts and metal parts.  
 Mail boxes—except as required by U. S. postal regulations.  
 Mailing tubes.  
 Marine hardware for pleasure boats.  
 Marquees.  
 Match boxes.  
 Material for housing, not otherwise specified in this order—except as allowed in Defense Housing Critical List.  
 Mechanical book binding wire.  
 Measuring pumps and dispensers<sup>1</sup> for gasoline station, garage and household use, including but not limited to—  
   Gasoline dispensing pumps.  
   Grease pumps.  
   Oil pumps, except barrel pumps and lubesters.  
   Kerosene pumps.  
   Air pumps.
- Menu holders.  
 Milk bottle cases.  
 Millinery wire and gimps.  
 Mop wringers.  
 Music stands.  
 Napkin rings.  
 Necktie racks.  
 Newspaper boxes or holders.  
 Novelties and souvenirs of all kinds.  
 Office machinery used for<sup>1</sup>—  
   Change making.  
   Coin handling.  
   Check cancelling.  
   Check cutting.  
   Check dating.  
   Check numbering.  
   Check signing.  
   Check sorting.  
   Check writing.  
   Envelope handling.  
   Envelope opening.  
   Envelope sealing.  
   Envelope stamping.  
   Envelope mailing.  
   Folding contents of envelope.  
 Ornamental hardware and mouldings.  
 Outdoor fireplace parts.  
 Packing twine holders.  
 Pall clasps.  
 Paint spray outfits—except industrial.  
 Paper rollers, household.  
 Park and recreational benches.  
 Parking meters.  
 Pen holders.  
 Permanent wave machines.  
 Pet beds.  
 Pet cages.  
 Pet dishes.  
 Phonograph motors, hand wound.  
 Phonograph record blanks.  
 Photographic accessories.  
 Physical reducing machines.  
 Picture and mirror hardware.  
 Pie plates—except commercial or institutional.  
 Pipe cases.  
 Pipe-cleaner knives.  
 Plant and flower supports.  
 Pleasure boats.  
 Pneumatic tube delivery systems<sup>1</sup> except industrial.  
 Polishing-wax applicators.  
 Polishing-wax sprayers.  
 Portable bath tubs.  
 Posts for fencing—except on A-2 or higher.  
 Poultry incubator cabinets.  
 Push carts.  
 Push plates and kick plates, doors.  
 Racquets.  
 Radiator enclosures.  
 Radio antennae poles<sup>1</sup>—except on ratings of A-2 or higher.  
 Refrigerator containers and trays, household.  
 Rotary door bells.  
 Salesmen's display cases and sales kits.  
 Salt and pepper holders.  
 Sample boxes.  
 Scaffolding.  
 Screen frames—except industrial processing.  
 Scrubbing boards.  
 Service food trays.  
 Sewer pipe, exterior installations<sup>1</sup>—except for vents and within 5 ft. of buildings.

<sup>1</sup> Maintenance and repair excepted.



Sheet iron or hoop iron packings for cookies and sweet goods.  
 Shirt and stocking dryers.  
 Shoe cleaning kits.  
 Shower receptors—except frames.  
 Shower stalls—except frames.  
 Show window lighting and display equipment.  
 Sign hanger frames.  
 Sign posts.  
 Signets.  
 Silos<sup>1</sup>—except strapping and reinforcing.  
 Sink aprons and legs.  
 Sink metal drainboards, both integral and removable.  
 Sitz baths.  
 Skates, roller and ice.  
 Ski racks.  
 Slide fasteners.  
 Snow shovels and pushers, hand and power propelled<sup>1</sup>—except A-1-j or higher.  
 Spittoons.  
 Sporting and athletic goods.  
 Spray containers, household.  
 Stadiums.<sup>1</sup>  
 Stamped bakery equipment.  
 Stamps (except for marking metal).  
 Starter shingle strips.  
 Statues.  
 Steel wool for household use made from other than waste.  
 Store display equipment and show cases.  
 Structural steel home construction.  
 Subway turnstiles.<sup>1</sup>  
 Sugar cube dryer trays.  
 Sugar holders.  
 Swivel chairs.  
 Table name-card holders.  
 Table tops for household use.  
 Tablets.  
 Tags; Key: name; price; identification—except:  
 (a) Personnel identification tags or badges where metal tags or badges are required for protection of governmental agencies.  
 (b) Personnel identification tags or badges containing not more than ¾ ounce of iron and steel where metal tags or badges are required for protection of industrial plants.  
 (c) Metal tags required by federal or state law for livestock and poultry.  
 (d) Pin attached or wire attached tickets for price marking soft goods.  
 (e) Metal tags for marking and identification of export shipments of iron and steel.  
 Tanks (strapping excluded):  
 Dipping—for animals.  
 Watering—for animals.  
 Feeding—for animals.  
 Storage, beer.  
 Storage, water<sup>1</sup>—except:  
 (a) In tropical climates.  
 (b) Heights in excess of 100 ft.  
 (c) Boilers, hot water and storage.  
 (d) Pneumatic pressure tanks under 31 gallons.  
 Teapots.  
 Telephone bell boxes—except bases and where required for safety.  
 Telephone booths.

<sup>1</sup>Maintenance and repair excepted.

Telescopes—except U. S. Government Agencies.  
 Terrazzo spacers and decorative strips—except hospital operating rooms.  
 Thermos jugs and bottles over 1 qt.  
 Thermometer bases, household.  
 Tile, steel-back.  
 Tongs, food handling and household use.  
 Tool boxes—except industrial.  
 Tool cases—except industrial.  
 Tool handles—except power-driven.  
 Urinals.  
 Wagon bodies, frames, and wheels, all metal<sup>1</sup>—except for construction.  
 Voting machines.  
 Wardrobe trunks.  
 Wastebaskets.  
 Water color paint boxes.  
 Weather stripping.  
 Wheelbarrows—except wheels.  
 Whiskey service sets.  
 Window display advertising.  
 Window stools.  
 Window ventilators—except industrial and hospitals.  
 Wine coolers.  
 Wine service sets.  
 Wire parcel handles and holders.  
 Wire racks and baskets—except (a) Industrial.  
 (b) Scientific laboratory equipment.  
 (c) Animal cages for biological work.  
 Work benches—except shipboard and industrial where required for safety.

## SUPPLEMENTARY LIST A

Item	Governing date
Accessories, soda fountain <sup>1</sup> .....	July —, 1942
Adhesive tape sleeves.....	July —, 1942
Automobile heaters, except for passenger carriers, as defined in L-158, police cars, ambulances, trucks and fire wagons <sup>1</sup> .....	July —, 1942
Balers, paper for household use	
Ball park equipment, including but not limited to:	
Cages. <sup>1</sup>	
Fences.	
Lighting systems, except lamp bulbs.	
Metal bases.	
Protective netting. <sup>1</sup>	
Railings.	
Rollers.	
Score boards.	
Screens. <sup>1</sup>	
Seats. <sup>1</sup>	
Tampers.....	July —, 1942
Barber and beauty shop supplies, machines and equipment <sup>1</sup> .....	July —, 1942
Barn pushers and scrapers.....	July —, 1942
Barware and bar accessories.....	July —, 1942
Beach umbrellas.....	July —, 1942
Beverage bottle cases, including but not limited to beer and all soft drinks.....	July —, 1942
Blocks, hat.....	July —, 1942
Bowling Alleys, bowling pins and accessories <sup>1</sup> .....	July —, 1942
Bread and cake boxes, household.....	July —, 1942
Bread slicers for home use, except knives.....	July —, 1942
Brushes and brush backs, except industrial.....	July —, 1942
Buckles for shoes, except for waterproof shoes	
Pocketbooks.....	July —, 1942

Item—Continued	Governing date
Buttons for clothing, except for overalls, overall suits and dungarees.....	July —, 1942
Cabinets for diathermy, sinusoidal and galvanic apparatus.....	July —, 1942
Cafeteria and restaurant equipment of stainless steel <sup>1</sup> .....	July —, 1942
Cake icing equipment.....	July —, 1942
Calendar and memo pad stands.....	July —, 1942
Callopes or steam organs.....	July —, 1942
Canes.....	July —, 1942
Carillons.....	July —, 1942
Casket carriers <sup>1</sup> .....	July —, 1942
Carrousels (merry-go-rounds).....	July —, 1942
Cases, Vanity.....	July —, 1942
Chamber pots.....	July —, 1942
Chicken house scrapers.....	July —, 1942
Circus and carnival apparatus, equipment <sup>1</sup> and devices, including but not limited to:	
Animal cages. <sup>1</sup>	
Animal stands.	
Tent stands.	
Trailers. <sup>1</sup>	
Trapeze bars.....	July —, 1942
Clothing trim and dress ornaments.....	July —, 1942
Coasters and trivets for glass and hot containers.....	July —, 1942
Coin changers, except for public transportation.....	July —, 1942
Combs, hair combs except curry combs.....	July —, 1942
Containers for cosmetics and toiletries.....	July —, 1942
Closures for toiletries and cosmetics.....	July —, 1942
Crochet hooks.....	July —, 1942
Cross ties and other timber anti-checking devices.....	July —, 1942
Curtain stretchers.....	July —, 1942
Desk equipment, including, but not limited to:	
Desk sets.	
Desk pads.	
Fountain pen and pencil stands.	
Paper weights.	
Letter openers.	
Name plates.	
Dishwashing racks, household.....	July —, 1942
Display forms.....	July —, 1942
Door mats.....	July —, 1942
Drapery and curtain fasteners and rings.....	July —, 1942
Dust covers and enclosures, except industrial <sup>1</sup> .....	July —, 1942
Easels—all types.....	July —, 1942
Embalming tables <sup>1</sup> .....	July —, 1942
Exercising and reducing machines <sup>1</sup> .....	July —, 1942
Exhibition and fair apparatus and equipment, <sup>1</sup> including but not limited to:	
Lighting equipment.	
Racks.	
Stands.	
Fences, chain link, A-2 or higher.....	July —, 1942
Fences, railings and barriers (except livestock and poultry enclosures for essential industrial use).....	July —, 1942
Flatware, except cooking and eating utensils.....	July —, 1942
Floats for pageants, parades, advertising, etc., except trucks.....	July —, 1942
Floor scrapers, except power-driven.....	July —, 1942
Floral tools and floral hoes.....	July —, 1942
Frames, clothes drying.....	July —, 1942
Frames for artists' canvas and darning and needle work.....	July —, 1942
Fruit juice extractors, household <sup>1</sup> .....	July —, 1942



Item—Continued	Governing date
Galley and mess equipment of stainless steel <sup>1</sup> .....	July —, 1942
Game and gambling devices.....	July —, 1942
Garbage grinders, household <sup>1</sup> .....	July —, 1942
Garden trowels.....	July —, 1942
Garment hangers.....	July —, 1942
Gas toasters, household.....	July —, 1942
Glassware holders and trim (except on cooking utensils).....	July —, 1942
Grass whips.....	July —, 1942
Hair combs, except curry combs.....	July —, 1942
Hand seals for documents.....	July —, 1942
Hand weeders.....	July —, 1942
Handles, broom and mop.....	July —, 1942
Harness and saddlery fittings, except for draft, work and ranch animals <sup>1</sup> .....	July —, 1942
Heat resisting pads for kitchen use.....	July —, 1942
Highway railroad flasher lights (except lamp bulbs) <sup>1</sup> .....	July —, 1942
Highway guard rail, wire, strip and posts <sup>1</sup> .....	July —, 1942
Highway guard rail reflectors <sup>1</sup> .....	July —, 1942
Hitching posts.....	July —, 1942
Hoops, galvanized wire for flower garden trim.....	July —, 1942
Hospital equipment <sup>1</sup> :	
Anesthesia tables, except for use in operating rooms.	
Arm immersion stands.	
Back rests.	
Bassinet.	
Bed cradles.	
Bed feeding and reading trays.	
Bath cabinets, except for hospital use.	
Bedside panel screens.	
Bed trays.	
Blanket warming cabinets.	
Book trucks, except wheel tires.	
Bowl stands, except for use in operating rooms.	
Chairs, other than examining or specialist chairs or dental chairs.	
Chart holders, except necessary hardware.	
Chiropractic adjustment tables.	
Clothes hampers.	
Commodore, except receptacle.	
Couch tables.	
Dish trucks, except wheel tires.	
Dental cabinets.	
Dressing stands.	
Dressing carriage, except frame and necessary hardware.	
Examining tables, non-adjustable.	
Ice trucks, except wheel tires.	
Instrument cabinets, except for use in operating rooms.	
Instrument tables, except for use in operating rooms.	
Linen trucks, except wheel tires.	
Laundry trucks, except wheel tires.	
Linen hampers.	
Needle cabinets, except for use in operating rooms.	
Nurses' work tables.	
Orthopedic and fracture carts except wheel tires and frames.	
Overbed and swing overbed tables.	

<sup>1</sup> Repair and Maintenance excepted.

Item—Continued	Governing date
Record and chart decks and racks.	
Shelf trucks, except wheel tires and frame (not food).	
Solution and irrigator stands, except for use in operating rooms.	
Step-on cans, except receptacle, and mechanism other than those for use in operating rooms.	
Sterilizer stands, except frame and top.	
Stools, except for use in operating rooms and except mechanism for adjustable stools.	
Supply and treatment cabinets.	
Stretchers, wheel type, except wheel tires and frame.	
Tables, examining, adjustable, except frame and operating mechanism.	
Thermometer baskets.	
Utensil racks.	
Vasocillator — oscillating beds.	
Wall shelf stands, except for use in operating rooms.	
Wheel chairs, except essential hardware.....	July —, 1942
Humidors.....	July —, 1942
Ice cream cabinets of stainless steel.....	July —, 1942
Ironing boards and stands.....	July —, 1942
Kaleidoscopes.....	July —, 1942
Key cases, chains and rings.....	July —, 1942
Keys for opening cans.....	July —, 1942
Lanterns, magic.....	July —, 1942
Lawn brooms.....	July —, 1942
Lawn edgers.....	July —, 1942
Lawn rakes.....	July —, 1942
Lawn rollers <sup>1</sup> .....	July —, 1942
Lawn tampers.....	July —, 1942
Lawn seeders <sup>1</sup> .....	July —, 1942
Logs, artificial for gas and electric fireplaces.....	July —, 1942
Luggage, except locks <sup>1</sup> .....	July —, 1942
Memorial tablets.....	July —, 1942
Metal dust covers and enclosures, except industrial.....	July —, 1942
Monograms and initials.....	July —, 1942
Outing spades.....	July —, 1942
Pads, inking and stamps.....	July —, 1942
Parasols, shafts and handles.....	July —, 1942
Pet equipment, including but not limited to (except license tags):	
Chains.	
Collars.	
Feeders.	
Houses.	
Leashes.	
Muzzles.	
Carriers.....	July —, 1942
Picnic and outing boxes and accessories.....	July —, 1942
Play pens, boxes and enclosures, children's.....	July —, 1942
Pitchers, except for hospital use.....	July —, 1942
Pocketbook ornaments.....	July —, 1942
Racetrack apparatus and equipment, <sup>1</sup> including but not limited to:	
Mutuel ticket machines.	
Parl-mutuel boards.	
Race finish photographic equipment.	
Starting gates.....	July —, 1942
Railings, barriers, and fences (except livestock and poultry enclosures) and essential industrial use.....	July —, 1942

Item—Continued	Governing date
Railroad rail joints over 24" in length <sup>1</sup> .....	July —, 1942
Reading stands.....	July —, 1942
Refrigerators and refrigeration equipment of stainless steel, except essential machinery parts.....	July —, 1942
Regalia.....	July —, 1942
Redco equipment, including but not limited to:	
Animal trappings.	
Gates <sup>1</sup> .	
Fences.	
Rolling boardwalk chairs <sup>1</sup> .....	July —, 1942
Rolling pins.....	July —, 1942
Scales, coin operated.....	July —, 1942
Scenery and stage hardware equipment <sup>1</sup> , for dramatic theatrical and operatic use, except lamp bulbs, including but not limited to:	
Battens.	
Cables.	
Lights.	
Reflectors.	
Stage drops.	
Score boards.....	July —, 1942
Shoe ornaments.....	July —, 1942
Shutters, window, except where required in industrial use by underwriters <sup>1</sup> .....	July —, 1942
Sidewalk scrapers.....	July —, 1942
Siphon chargers.....	July —, 1942
Skating rink apparatus and equipment <sup>1</sup> .....	July —, 1942
Sleds, except runners.....	July —, 1942
Sleighs, except runners.....	July —, 1942
Smokers' accessories.....	July —, 1942
Sod lifters.....	July —, 1942
Spading forks, children's.....	July —, 1942
Sprinkling cans, garden.....	July —, 1942
Stairs and threshold treads, household, institutional and commercial buildings, except for fire escape and essential industrial use <sup>1</sup> .....	July —, 1942
Stands and racks for colonic irrigation apparatus.....	July —, 1942
Stretchers, glove, sock and sweater.....	July —, 1942
Sun dials.....	July —, 1942
Sun lamps and infra-red lamps, except for professional and hospital use, and except where lamps and reflectors are used for drying and baking.....	July —, 1942
Swimming pool equipment <sup>1</sup> , including but not limited to:	
Diving boards.	
Diving stands.	
Ladders.	
Slides.....	July —, 1942
Tickers, stock.....	July —, 1942
Ticket vending machines, except for public transportation.....	July —, 1942
Trailer bodies <sup>1</sup> , except tank and dump bodies and essential hardware, structural and bracing members for bodies essentially of wood construction.....	July —, 1942
Transplanting trowels.....	July —, 1942
Treads, stair and household, threshold, institutional and commercial buildings <sup>1</sup> .....	July —, 1942
Trophies.....	July —, 1942
Truck bodies <sup>1</sup> , except tank and dump bodies and essential hardware, structural and bracing members for bodies essentially of wood construction.....	July —, 1942



Item—Continued	Governing date
Trunks, except locks <sup>1</sup> .....	July —, 1942
Turf edgers.....	July —, 1942
Umbrellas, garden.....	July —, 1942
Umbrella shafts and handles.....	July —, 1942
Vanity cases.....	July —, 1942
Vending machines, ticket, except for public transportation.....	July —, 1942
Waste paper receptacles.....	July —, 1942
Watch straps.....	July —, 1942
Water troughs <sup>1</sup> .....	July —, 1942
Weather vanes.....	July —, 1942
Weed cutters and pullers, including dandelions, thistle and dock.....	July —, 1942

<sup>1</sup> Repair and maintenance<sup>1</sup> excepted.

#### LIST C

Air-conditioning systems—for ships, hospitals, and tropics use only.  
Bench legs.  
Binoculars.  
Cabinets—for mobile units such as maintenance company equipment (truck mounted), spare parts, trucks and mobile reproduction units.  
Cans or containers for candy and coffee.  
Cooking stoves—commercial electric.  
Electric water coolers—for hospital and tropics use only.  
Flashlight tubes.  
Helmets.  
Hose reels.  
Loose-leaf binding wire, rings, posts and metal parts.  
Measuring pumps and dispensers for gasoline stations and garages, including but not limited to: gasoline dispensing pumps, grease pumps, oil pumps, kerosene pumps, air pumps.  
Paint spray outfits.  
Photographic accessories.  
Pie plates.  
Pneumatic tube delivery systems—for ships and airports only.  
Scaffolding—for the use in shipyards, air fields and other places where use of wood scaffolding is impracticable.  
Slide fasteners.  
Stamped bakery equipment.  
Tags—identification (names).  
Thermos jugs and bottles over 1 quart, including insulated food and liquid carriers.  
Tool boxes.  
Wheelbarrows.  
Wire racks and baskets.  
Work benches where wooden benches will not stand up under ordinary use.

#### LIST D—(OTHER SCARCE MATERIALS)

Metals—all.  
Rubber.

[F. R. Doc. 42-6646; Filed, July 13, 1942; 11:44 a. m.]

#### PART 1176—IRON AND STEEL CONSERVATION

[Amendment 1 to General Conservation Order M-126 as Amended July 13, 1942]

Paragraph (a) (1) of General Conservation Order M-126<sup>1</sup> as amended July 13, 1942 (§ 1176.1) is hereby amended by adding the words "or process" between the words "shall put into process" and the words "any iron or steel", to be and read as follows:

<sup>1</sup> *Supra*, this issue.

(a) *Restrictions with respect to List A Products.* Except as provided in paragraph (c):

(1) *Raw material deliveries and fabrication.* From and after May 20, 1942, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on List A or part thereof, and from and after June 19, 1942, no person shall put into process or process any iron or steel to make any item on List A or part thereof.

Issued this 13th day of July 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-6652; Filed, July 13, 1942; 12:02 p. m.]

#### PART 1295—ANILINE

[Conservation Order M-184]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aniline, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

#### § 1295.1 Conservation Order M-184—

(a) *Definitions.* For the purposes of this order:

(1) "Aniline" means aniline, aniline oil, and the salts of aniline.

(2) "Producer" means any person who produces or imports aniline and includes any person who has aniline produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased, or purchases, aniline from a producer for purposes of resale.

(b) *Restrictions on use and delivery of aniline.* On and after September 1, 1942 no person shall use, deliver or accept delivery of aniline except as specifically directed or authorized by the Director of Industry Operations upon application pursuant to paragraph (d) (1) hereof, subject to the exemptions specifically provided for in paragraph (c) hereof.

(c) *Uses and deliveries specifically exempted.* The restrictions provided for in paragraph (b) hereof shall not apply to:

(1) The use by the United States Army or Navy of aniline produced by them.

(2) The use by any person of not to exceed five hundred (500) pounds of aniline in any one month;

(3) The delivery by any producer or distributor of not to exceed five hundred (500) pounds of aniline to any one person in any one month, and the acceptance thereof by any such person, provided that each producer or distributor before making any such delivery, with the exception provided for below, shall have received a certificate from the deliverer to the effect that if the delivery covered by such certificate is made the deliverer will not have received during the current month in excess of five hundred (500) pounds of aniline, and provided, further, that the aggregate amount

of such deliveries by any producer or distributor during any one month shall not exceed two thousand five hundred (2500) pounds of aniline. No such certificate shall be required for deliveries of fifty (50) pounds or less of aniline to any one person in any one month.

(d) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director of Industry Operations:

(1) Each person seeking authorization to use or accept delivery of aniline during any month, including producers or distributors seeking authorization to use or accept delivery of aniline, shall file Form PD-583 in the manner prescribed therein on or before the 10th day of the month preceding the month for which authorization for use or delivery is requested, provided, however, that application for authorization may be made in any form setting forth the information called for by Form PD-583 by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration on or before the 20th day of such preceding month.

(2) Each producer and distributor shall file Form PD-584 in the manner prescribed therein on or before August 20, 1942 and on or before the 20th day of each month thereafter, provided, however, that reports setting forth the information called for by Form PD-584 may be made in any form by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration on or before August 25, 1942 and on or before the 25th day of each month thereafter.

(e) *Notification of customers.* Producers and distributors of aniline shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(f) *Miscellaneous provisions.*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected hereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of aniline, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using,



material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-184. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6648; Filed, July 13, 1942;  
11:43 a. m.]

#### PART 1298—SITKA SPRUCE LOGS

[General Preference Order M-186]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Sitka spruce for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1298.1 *General Preference Order M-186—(a) Definitions.* For the purposes of this order:

(1) "Sitka spruce logs" means Grade No. 1 and Grade No. 2 logs of the botanical species of *Picea sitchensis* and logs which meet the specifications of Grade No. 1 and Grade No. 2 logs of that species (including cants and flitches of such logs), which are produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, or in Alaska.

(2) Grades of Sitka spruce logs specified in subparagraph (1) means such grades as understood in the particular district on August 1, 1941. For the purpose of this paragraph, Sitka spruce logs produced in Alaska shall be graded in the district to which they are first delivered.

(3) "District" means any one of four districts as follows:

(i) Puget Sound district, including all counties in the State of Washington lying west of the crest of the Cascade Mountains except those named in the Willapa Bay and Grays Harbor, and Columbia River districts.

(ii) Willapa Bay and Grays Harbor district, including the counties of Grays Harbor and Pacific in the State of Washington.

(iii) Columbia River district, including the counties of Wahkiakum, Cowlitz, Clarke, and Skamania in the State of Washington, and Clatsop, Columbia, Washington, Clackamas, and Hood River in the State of Oregon.

(iv) Willamette Valley district, including all counties in the State of Oregon lying west of the crest of the Cascade Mountain Range except those named in the Columbia River district.

(4) "Logger" means any person who produces Sitka Spruce logs.

(b) *Restrictions on delivery.* (1) On and after July 20, 1942, no person shall make delivery of Sitka spruce logs, and no person shall accept delivery of, or consume or process Sitka spruce logs, except as authorized by the Director of Industry Operations. This restriction shall apply to all stocks of Sitka spruce logs held within the continental limits of the United States (including Alaska) as of the date of this order, whether in private or in government hands; but shall not apply to cants and flitches held for aircraft use by manufacturers of aircraft. The Director of Industry Operations may from time to time allocate the supply of Sitka spruce logs or any part sawed therefrom, and specifically direct the manner and quantities in which deliveries to particular persons shall be made or withheld. He may also direct or prohibit particular uses of Sitka spruce logs, or any part sawed therefrom. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director of Industry Operations, without regard to any preference ratings assigned to particular contracts or purchase orders. The Director may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential civilian requirements.

(2) Notwithstanding the foregoing restrictions, Sitka spruce logs in transit on July 20, 1942, may be delivered to their immediate destination.

(c) *Applications and reports.* (1) Unless otherwise ordered by the Director of Industry Operations, no person (other than an aircraft manufacturing plant receiving Sitka spruce logs for aircraft uses) shall be entitled to receive an allocation of Sitka spruce logs unless, not later than the 20th day of the month (beginning with the month of July 1942) next preceding the month in which delivery is desired, he shall have filed with the Western Log and Lumber Administrator of the War Production Board an application on Form PD593.

(2) Any person, other than a logger or aircraft manufacturer, who, on July 13, 1942, has in his possession or under his control Sitka spruce logs in excess of 100,000 feet, log scale, shall file with the Western Log and Lumber Administrator of the War Production Board, not later than the fifth day after such date, an inventory report on Form PD594.

(3) Failure by a person to file an application pursuant to paragraph (c) (1) of this order may be construed as notice to the Director of Industry Operations that such person does not desire an allocation of Sitka spruce logs for the next succeeding month.

(4) All persons engaged in scaling Sitka spruce logs shall promptly forward to the Western Log and Lumber Administrator of the War Production Board, a copy of each scaling certificate issued by such person.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, and all other applicable priorities regulations, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Sitka Spruce logs conserved, or that compliance with this order would disrupt or impair a program of conversion, from non-defense to defense work, may appeal to the War Production Board, by letter or other written communication, in duplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Western Log and Lumber Administrator, War Production Board, Portland, Oregon, Ref: M-186.

(g) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, the Director of Industry Operations may prohibit such person from making or obtaining further deliveries of or from processing or using material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate. (P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-6650; Filed, July 13, 1942;  
11:43 a. m.]

#### Subchapter B—Director General for Operations PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 2 of Priorities Regulation 11]

The following official interpretation is issued with respect to Priorities Regulation No. 11 (§ 944.32):

Paragraph (d) (1) (iii) of Priorities Regulation No. 11, as amended, requires

17 F.R. 4423, 4615, 4693, 4848.



each PRP Unit, immediately upon receipt of its certificate "to cancel or reduce its outstanding purchase orders" calling for delivery within the quarter to the amount authorized. To comply with this provision, it is sufficient to notify suppliers to deliver within the quarter amounts totaling not in excess of the amount authorized, permitting any balance of orders to remain on the supplier's books for future delivery. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6651; Filed, July 13, 1942;  
11:46 a. m.]

## Chapter XI—Office of Price Administration

### PART 1330—CONTAINERS

[Correction to Amendment 1<sup>2</sup> To Revised Price Schedule 98<sup>2</sup>]

#### DOMESTIC FUEL OIL STORAGE TANKS

The headnotes of paragraph (c) in § 1330.111 and paragraph (c) in § 1330.112 added by Amendment No. 1 are corrected to read as set forth below:

§ 1330.111 *Appendix B: Maximum prices for domestic fuel oil storage tanks for the midwestern area.* \* \* \*

(c) *Permissible additions to maximum prices when delivery is within the midwestern area:*

§ 1330.112 *Appendix C: Maximum prices for domestic fuel oil storage tanks for the Pacific coast area.* \* \* \*

(c) *Permissible additions to maximum prices when delivery is within the Pacific coast area:*

§ 1330.109a *Effective dates of amendments.* \* \* \*

(b) Correction (headnotes of §§ 1330.111 (c) and 1330.112 (c)) to Amendment No. 1 to Revised Price Schedule No. 96 shall be effective as of May 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6590; Filed, July 10, 1942;  
5:02 p. m.]

### PART 1381—SOFTWARE LUMBER

[Amendment 2 to Maximum Price Regulation 26<sup>2</sup>]

#### DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

herewith and has been filed with the Division of the Federal Register.

Sections 1381.57, 1381.61, are amended to read as set forth below.

§ 1381.57 *Petitions for amendment and adjustment.* (a) Persons seeking any modification of this Maximum Price Regulation No. 26, or any adjustment or exception not provided for therein may file petition for amendment in accordance with the provisions of Procedural Regulation No. 1,<sup>2</sup> issued by the Office of Price Administration.

(b) On and after July 10, 1942, and until September 10, 1942, any person who has entered into or proposes to enter into a contract for the sale of aircraft fir who believes that the maximum price set forth in Appendix A, § 1381.62, impedes or threatens to impede the production of aircraft fir which is essential to the war program and which is or will be the subject of such contract may file an application for adjustment of such maximum prices in accordance with Procedural Regulation No. 6<sup>2</sup> issued by the Office of Price Administration: *Provided*, That all such applications shall be filed with the Office of Price Administration, Washington, D. C. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, offers, contracts, and deliveries may be made at the price requested in such application: *Provided*, That final settlement shall be made in accordance with the order, and if required, refunds shall be made. After September 10, 1942 deliveries on contracts made prior to that date pursuant to orders issued under this paragraph may be completed at the prices authorized by such orders, but after that date no new contracts may be made at prices higher than the maximum prices in Appendix A, § 1381.62.

§ 1381.61 *Effective date.* (a) Maximum Price Regulation No. 26 (§§ 1381.51 to 1381.62, inclusive) shall become effective June 29, 1942: *Provided*, That firm commitments entered into prior to June 29, 1942, for any Douglas fir lumber subject to Revised Price Schedule No. 26 as it stood before the issuance of this Maximum Price Regulation No. 26, and in conformity with its terms, may be completed according to the contract.

(b) The following contracts for delivery of aircraft fir may be completed according to their terms, regardless of any other provisions of this Maximum Price Regulation No. 26:

#### REQUISITION 2184 DOUGLAS FIR—Continued Contract # and firm

- 930 Spruce, Inc., 844 Henry Building, Seattle, Wash.
- 931 Weyerhaeuser Sales Co., Longview, Wash.
- 1465 Weyerhaeuser Sales Co., Longview, Wash.
- 1466 Spruce, Inc., 844 Henry Building, Seattle, Wash.
- 2825 Balfour-Guthrie & Co. Ltd., 1425 Dexter Horton Building, Seattle, Wash.
- 2826 Grays Harbor Export Co., 2008 Exchange Building, Seattle, Wash.

\* 7 F.R.—971, 3663.

\* 7 F.R. 5087.

#### REQUISITION 2184 DOUGLAS FIR—Continued Contract # and firm

- 2827 C. D. Johnson Lumber Co., 1330 American Bank Building, Portland, Oreg.
- 2828 Weyerhaeuser Sales Co., Longview, Wash.
- 2854 Spruce, Inc., 844 Henry Building, Seattle, Wash.
- 4979 Dant & Russell, Inc., 1108 Porter Building, Portland, Oreg.
- 6936 Robinson Manufacturing Co., 1127 Hibernia Building, New Orleans, La.
- 7066 Weyerhaeuser Sales Co., Longview, Wash.
- 7185 Spruce, Inc., 844 Henry Building, Seattle, Wash.
- 9642 Oregon-American Lumber Co., Vernonia, Oreg.
- 9904 Austin-Dodds Lumber Co., Eugene, Oreg.
- 9905 Rosboro Lumber Co., Springfield, Oreg.
- 9906 Dant & Russell, Inc., 1108 Porter Building, Portland, Oreg.
- 9907 Puget Sound Associated Mills, 1411 Fourth Avenue Building, Seattle, Wash.
- 10258 Karlen-Davis Co., 711 Tacoma Building, Tacoma, Wash.
- 10383 Grays Harbor Export Co., Exchange Building, Seattle, Wash.
- 10599 L. H. & L. Lumber Co., Carleton, Oreg.
- 12474 White River Lumber Co., Enumclaw, Wash.
- 12493 St. Paul & Tacoma Lumber Co., Tacoma, Wash.
- 12494 Silver Falls Timber Co., Silverton, Oreg.

§ 1381.61a *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (§§ 1381.57, 1381.61, and 1381.61a) to Maximum Price Regulation No. 26 shall become effective July 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6592; Filed, July 10, 1942;  
5:04 p. m.]

### PART 1381—SOFTWARE LUMBER

[Amendment 1 to Maximum Price Regulation 161<sup>1</sup>]

#### WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraphs (b) and (c) of § 1381.160 are amended and a new § 1381.159a is added as set forth below.

§ 1381.160 *Appendix A—Maximum delivered prices for West Coast logs.* \* \* \*

(b) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any other point than the waters named or the buyer's manufacturing plant shall be determined as follows: from the prices in paragraph (a) of this section, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the waters of the particular district, then

\* 7 F.R. 4426.

<sup>1</sup> 7 F.R. 3774.

<sup>2</sup> 7 F.R. 1387, 3774.

<sup>3</sup> 7 F.R. 4573, 4701, 5180.



add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided*, That regardless of the result of such computation, the prices shall in no event exceed the prices set forth in paragraph (a) of this section applicable to deliveries into the waters of Puget Sound, Willapa Bay and Grays Harbor, and the Columbia River: *And provided*, That the maximum delivered prices per 1,000 ft. log scale for No. 1 and No. 2 Sitka spruce logs shall be the full maximum prices set forth in paragraph (a) of this section regardless of the point of delivery.

(c) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any point in the Willamette Valley district shall be determined as follows: from the prices set forth in paragraph (a) of this section for delivery in the Columbia River district, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the Columbia River district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided*, That regardless of the result of such computation, the prices for the Willamette Valley district shall in no event exceed the prices set forth in paragraph (a) of this section for delivery in the Columbia River district: *And provided*, That the maximum delivered prices per 1,000 ft. log scale for No. 1 and No. 2 Sitka spruce logs shall be the full maximum prices set forth in paragraph (a) of this section regardless of the point of delivery.

• § 1381.159a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1381.160 (b) and (c) and 1381.159a) to Maximum Price Regulation 161 shall become effective July 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6591; Filed, July 10, 1942; 5:04 p. m.]

#### PART 1305—ADMINISTRATION

[General Order 2]

#### FURTHER DELEGATION TO REGIONAL ADMINISTRATORS OF CERTAIN FUNCTIONS AND POWERS RELATED TO RATIONING

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as supplemented, and by paragraph 3 of Executive Order No. 9125, the following order is prescribed:

§ 1305.11 *Order delegating to Regional Administrators authority to administer oaths and conduct hearings in connection with rationing administration and enforcement.* (a) In connection with the administration or enforcement of the rationing authority of the Office of Price Administration, or of any regulation or

order issued pursuant to that authority, the several Regional Administrators of the Office of Price Administration are each authorized, within their respective Regions, to administer oaths and affirmations, to hold and preside over hearings, to issue notices of hearing, and to exercise any discretion necessary or appropriate to the conduct of such hearings.

(b) Any power, authority, or discretion conferred by this General Order No. 2 (§ 1305.11) upon any Regional Administrator may be exercised by said Regional Administrator through such officer or employee of the Office of Price Administration as said Regional Administrator may designate for that purpose.

(c) This General Order No. 2 (§ 1305.11) shall take effect July 11, 1942.

(Pub. Law 507, 77th Cong.; E.O. 9125; WPA Directive No. 1; Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6627; Filed, July 11, 1942; 12:54 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 5 to Rationing Order 3]

##### SUGAR RATIONING REGULATIONS

Section 1407.73, paragraph (a) of § 1407.91, § 1407.92, paragraph (a) of § 1407.146, paragraph (c) of § 1407.148, and § 1407.166 are amended; in § 1407.141, paragraphs (b) and (c) are amended and a new paragraph (d) is added; and a new paragraph (e) is added to § 1407.222, as set forth below:

##### Consumers

§ 1407.73 *Consumer handicapped by transportation difficulties.* (a) A registered consumer to whom a War Ration Book has been issued who, because of transportation difficulties, finds it a hardship to take delivery of sugar at the times and in the amounts specified in § 1407.243, may apply for a Certificate authorizing him to take delivery of a quantity of sugar not in excess of twelve (12) pounds. The application therefor shall be made to the Board on OPA Form No. R-315 by the consumer personally, by an adult member of his family unit, by an authorized agent, or by any other person authorized to register for him. The Board, in its discretion, may grant the application: *Provided*, That the amount allowed such consumer shall not exceed twelve (12) pounds of sugar. Before issuing a certificate in such case, the Board shall detach from the War Ration Book of the consumer Stamps having a weight value equal to the amount for which the Certificate is issued; if the amount so allowed is greater than the weight value of the unexpired Stamps in his War Ration Book to which a weight value has been assigned in § 1407.243 the War Ration Book shall be

17 FR. 2966, 3242, 3783, 4545.

surrendered to the Board and held until Stamps may be detached having a weight value equal to such amount.

##### Institutional and Industrial Users

§ 1407.91 *Adjustments.* (a) In the first application for a Certificate the adjustment shall be the deduction of the amount of the present inventory, as defined in § 1407.84; in all subsequent applications the adjustments shall take into account any excess of such present inventory over the total of all prior allotments and provisional allowances, and corrections for any errors, omissions, or mistakes on prior applications, or for changes required by actions taken pursuant to Rationing Order No. 3.

§ 1407.92 *Use of allotment.* (a) Except as may be authorized by the Office of Price Administration, a registering unit which obtains an allotment pursuant to § 1407.86 may use sugar allotted on a sugar base only for the purpose or for the production of the product upon the basis of which such sugar base has been established or for a purpose or for the production of a product included within the same class according to the classes hereinafter set forth, to-wit:

Class 1—Meals or food services.

Class 2—Bread and bakery products.

Class 3—Cereal products, batters, mixes, desserts, and puddings.

Class 4—Ice cream, frozen custards, cheese, frozen eggs, sugared egg yolks, and other dairy products except condensed milk.

Class 5—Ices, sherbets, bottled beverages, flavoring extracts, syrups, and drink mixes.

Class 6—Pickles, mince meat, catsup, chili sauces, salad dressings, soups, tomato sauces, preserves, jams, jellies, fruit butters, glace fruits, fruit nectars, and maraschino cherries.

Class 7—Drugs, medicines, and insecticides.

Class 8—Confectionery, candy, chocolate, chewing gum, and cocoa.

(b) Except as may be authorized by the Office of Price Administration, or by Rationing Order No. 3, no person shall use more sugar in any allotment period for purposes for which allotments may be obtained pursuant to Rationing Order No. 3 than the total amount of the allotment of such person for such period, plus the unused portion of any allotment granted for prior periods: *Provided*, That a person may use sugar at any time after such sugar has been allotted to him.

##### Sugar Purchase Certificates, War Ration Books, and War Ration Stamps

§ 1407.141 *Nature and validity of certificates and stamps.* \* \* \*

(b) Each Stamp authorizes delivery of sugar to a consumer only during the ration period assigned to such Stamp in § 1407.243. A Stamp received by a registering unit from a consumer in accordance with the Rationing Order No. 3 authorizes such registering unit to take delivery of sugar, in an amount equal to the weight value of such Stamp within



twenty (20) days from the close of the ration period assigned to such Stamp if it is surrendered to another registering unit, or to receive a Certificate having an equal weight value if it is surrendered to the Board: *Provided*, That such Stamp must be surrendered to such other registering unit or to the Board within ten (10) days after the close of such ration period.

(c) A Certificate authorizes the person to whom it is issued to take delivery of sugar within sixty (60) days from the valid date of the Certificate. A Certificate duly transferred to a registering unit by endorsement authorizes the delivery of sugar to such registering unit within sixty (60) days from the valid date of the Certificate, or thirty (30) days from the date contained in the endorsement to such registering unit, whichever is later.

(d) A primary distributor receiving Certificates, or a registered wholesaler receiving Stamps or Certificates, from a registering unit upon request may deliver to such registering unit a quantity of sugar equal to the weight value of the Stamps and Certificates so received, plus an additional quantity equal to either: (1) an amount, not in excess of 10% of the weight value of the Stamps or Certificates so received, required to make a total quantity equal to that contained in a Shipping Unit; or (2) an amount not in excess of ninety-nine (99) pounds, required to permit delivery in shipping packages customarily used by the person making the delivery.

If the amount of sugar delivered is greater than the weight value of the Certificates and Stamps received the person accepting the delivery shall be charged with such excess and shall surrender Stamps or Certificates of weight value equal to such excess before accepting delivery of any additional sugar from any person.

§ 1407.146 *Acquisition of sugar for carriage, storage, or security; disposal.* (a) Any person lawfully in possession of or entitled to receive sugar may deliver such sugar to any other person for carriage, storage, or security purposes without the receipt of Stamps or Certificates. The sugar may thereafter be delivered by such other person, without the receipt of Stamps or Certificates, either to the person from whom the sugar was received, or to a person to whom the right to receive such sugar has been transferred pursuant to Rationing Order No. 3.

§ 1407.148 *Destroyed, mutilated, lost, or stolen Certificates, Stamps, and War Ration Books.* \* \* \*

(c) If a War Ration Book or a Certificate held by a consumer is lost, destroyed, or stolen, the consumer may apply for a replacement War Ration Book or Certificate. The application therefor shall be made to the Board upon OPA Form No. R-315 by the consumer personally or by an adult member of his family unit or by an authorized agent. The Board, in a proper case, shall grant the application. If the application is granted, the Board

shall remove from any replacement War Ration Book all Stamps that were removed from the lost, destroyed, or stolen Book and all Stamps applicable to all rationing periods that have expired. The Board shall not issue a War Ration Book or Certificate to replace one that has been lost, stolen, or destroyed until a period of not less than two months has elapsed since the date of the application to the Board for a replacement War Ration Book: *Provided*, That in a deserving case a War Ration Book or Certificate may be issued to replace a lost, stolen, or destroyed War Ration Book or Certificate before the expiration of such two month period if the Board is satisfied beyond reasonable doubt that such War Ration Book or Certificate was lost, stolen, or destroyed.

*Petitions for Adjustment: Appeals: New Business, Miscellaneous*

§ 1407.166 *Exchange of sugar and tolling agreement.* (a) Any person may exchange sugar of different types with any other person if the weights of the sugars exchanged are equal. No Stamps or Certificates shall be necessary to authorize deliveries of sugars involved in such exchanges.

(b) A registered industrial user or the Army or Navy of the United States or any of the persons or agencies listed in paragraph (b) of § 1407.183, hereinafter in this paragraph referred to as transferor, may surrender a Certificate without obtaining sugar or may deliver sugar without obtaining Stamps or Certificates to a registered industrial user, hereinafter referred to as transferee, for use by the transferee for the production of a product to be delivered to the transferor and for which the sugar so delivered, or the sugar authorized to be delivered by such Certificate, could have been used by the transferor pursuant to Rationing Order No. 3. Except as the Office of Price Administration may otherwise authorize the provisions of this paragraph shall apply only if the transferor delivered sugar between January 1, 1941, and December 31, 1941, to another industrial user to be used for the manufacture of the same product; or if the means of production of the transferor have been temporarily so disrupted that production is impracticable; or if the transferor is the Army or Navy of the United States or any of the persons or agencies listed in paragraph (b) of § 1407.183.

*Effective Date*

§ 1407.222 *Effective dates of amendments.* \* \* \*

(d) Amendment No. 5 (§§ 1407.73; 1407.91 (a); 1407.92; 1407.146 (a); 1407.148 (c); 1407.166; 1407.141 (b), (c), and (d); to Rationing Order No. 3 shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong. 2d Sess., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued the 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6624; Filed, July 11, 1942; 12:53 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 26]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

*Correction*

Section 1388.1701 (b) (3), appearing on page 4906 of the issue of Wednesday, July 1, 1942, is corrected to read as follows:

"Rooms and other housing accommodations within hotels or rooming houses; *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses".

In § 1388.1751 (d) the word "void" is misspelled.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Maximum Price Regulation 136]

MACHINES AND PARTS

*Corrections*

In § 1390.3 (a) (2) appearing on page 5048 of the issue for Friday, July 3, 1942, the first word in the last line should read "complied". In § 1390.12 (b) (2), page 5051, the last sentence should read as follows:

"If such lessor desires such rental to become the maximum rental applicable to all subsequent leases and deliveries of such machine or part, a statement that the report is also being filed pursuant to § 1390.13 should be included".

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5 A]

GASOLINE RATIONING REGULATIONS

*Correction*

In § 1394.705 (d) appearing on page 5233 of the issue for Thursday, July 9, 1942, the word "motorcycle" should read "motor vehicle".

PART 1335—CHEMICALS

[Amendment 4 to Revised Price Schedule 68<sup>1</sup>]

HIDE GLUE STOCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

A new item 4a is added to paragraph (a) of § 1335.510 as set forth below:

§ 1335.510 *Appendix A: Maximum prices for hide glue stock.* (a) \* \* \*  
4a. Lined Calf Cheekings, \$2.25.

§ 1335.509a *Effective dates of amendments.* \* \* \*

<sup>1</sup>7 F.R. 1338, 1836, 2000, 2132, 2241, 2040, 3125.



(d) Amendment No. 4 (Item 4a of § 1335.510 (a)) shall be effective as of May 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6654; Filed, July 13, 1942;  
12:14 p. m.]

#### PART 1340—FUEL

[Amendment 5 to Maximum Price  
Regulation 137<sup>1</sup>]

##### PETROLEUM PRODUCTS SOLD AT RETAIL PRICE IN GREAT FALLS, MONTANA, AREA

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new paragraph (d) is added to § 1340.91:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* \* \* \*

(d) *Montana.* Maximum prices as determined under § 1340.91 (a) (1) and (2) for service station operators within the Great Falls, Montana tank wagon area who reduced their prices on third grade and regular grade gasoline between February 25 and February 28, 1942, inclusive, are increased by the amount of such decrease but by not more than 1½ cents per gallon.

§ 1340.93a *Effective dates of amendments.* \* \* \*

(e) Amendment No. 5 (§ 1340.91 (d)) shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July, 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6662; Filed, July 13, 1942;  
12:18 p. m.]

#### PART 1341—CANNED AND PRESERVED FOODS

[Amendment 3 to Maximum Price  
Regulation 152<sup>2</sup>]

##### CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Three new paragraphs (h), (i), and (j) are added to § 1341.22.

§ 1341.22 *Canner's maximum prices for canned vegetables.* \* \* \*

(h) (1) Any canner who sold and delivered a particular brand of canned vegetable packed by him during the calendar year 1941 on an established prepaid freight, freight allowed, or delivered price basis may add to the maximum price per dozen f. o. b. factory computed

for each grade and container size of such canned vegetable under paragraphs (a), (b), and (c) of this section the average freight factor which he added to his f. o. b. factory price during the calendar year 1941 for such grade and container size of such brand of canned vegetable. The resulting price shall be the canner's maximum delivered price for such brand of canned vegetable for the area in which such average freight factor applied in 1941.

(2) Every canner who makes sales and deliveries of a particular brand of canned vegetable on a prepaid freight, freight allowed or delivered price basis shall file with the Office of Price Administration on or before August 15, 1942, a statement under oath or affirmation showing his maximum price per dozen f. o. b. factory, the average freight factor which he added to his f. o. b. factory price during the calendar year 1941, and the maximum delivered price for each kind, grade, brand and container size of canned vegetable packed after the 1941 pack.

(1) If any canned snap beans (green or wax) were packed more than once during the calendar year 1941 at the same factory, the maximum price per dozen f. o. b. factory for each kind, grade and container size of canned snap beans (green or wax) packed after the 1941 pack shall be:

(1) The weighted average price per dozen charged by the canner f. o. b. factory for such grade and container size during the first 60 days after the beginning of the spring 1941 pack and the first 60 days after the beginning of the fall 1941 pack; plus

(2) Eight percent of the weighted average price per dozen f. o. b. factory as determined under paragraph (1) (1) of this section; plus

(3) The actual increase per dozen cans in the cost of the raw agricultural commodity as of May 4, 1942, over the cost of the raw agricultural commodity for the entire 1941 pack.

(4) In determining the canner's maximum price for canned snap beans (green or wax):

(1) The "weighted average price" shall be the total gross sales dollars charged for each grade and container size divided by the number of dozens sold for such grade and container size, for the 60 day period after the beginning of the spring 1941 pack and the 60 day period after the beginning of the fall 1941 pack.

(11) Except insofar as provided to the contrary in this paragraph (1) all other paragraphs of this section shall apply to the canner who packed canned snap beans (green or wax) more than once during the calendar year 1941. The second sentence of paragraph (a) (4) in § 1341.30 shall not apply to the canner of canned snap beans.

(j) If the maximum price for some grades and container sizes of a particular kind of canned vegetable can be computed under paragraphs (a), (b), and (c) of this section, and the maximum price of the remaining grades and container size of such canned vegetable cannot be so computed, the canner shall select from the grades and container sizes

the maximum prices for which have been computed under paragraphs (a), (b), and (c) of this section that grade and container size of which the canner packed the largest number of dozens during the calendar year 1941, and add or subtract from the maximum price of that grade and container size the same differentials, in dollars and cents, that existed between that grade and container size, and the grade and container size being priced, in the quoted 1941 future price list of such canner, or if no such quotations were made in 1941, such canner's 1941 opening spot price list.

§ 1341.32 *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§§ 1341.22 (h), (i), (j), 1341.30 (a) (4)) shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6659; Filed, July 13, 1942;  
12:17 p. m.]

#### PART 1355—LEAD

[Amendment 3 to Revised Price  
Schedule 70<sup>1</sup>]

##### LEAD SCRAP MATERIALS; SECONDARY LEAD, INCLUDING CALKING LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.<sup>2</sup>

Section 1355.64 (a) is amended to read as follows, and a new proviso is added to §§ 1355.66 (a) (1) and 1355.67 (a) (1), respectively, as set forth below:

§ 1355.64 *Appendix A: Maximum prices for lead scrap materials other than battery lead scrap—(a) Maximum prices.* "Base price" means the price listed in § 1355.69, Appendix F, at the point of shipment. If the point of shipment is not listed therein, the price listed for the nearest point in distance to the point of shipment shall prevail.

Grade or type of lead scrap material (f. o. b. pt. of shipment)	Maximum price per pound
Soft lead scrap.....	Base price less .55¢
Hard lead scrap.....	Base price less .55¢
Cable lead scrap.....	Base price less .55¢
Battery lugs.....	Base price less .65¢
Lead content of lead-covered copper cable.....	Base price less .65¢

The maximum price of the copper contained in lead-covered copper cable shall be determined in accordance with Revised Price Schedule No. 20,<sup>3</sup> as amended—*Copper scrap and copper alloy scrap.*

§ 1355.66 *Appendix C: Maximum prices for battery lead plates purchased*

<sup>1</sup> 7 F.R. 1341, 1836, 2000, 2192, 2183, 2542, 3623.

<sup>2</sup> Copies may be obtained from the Office of Price Administration.

<sup>3</sup> 7 F.R. 3404, 3459.

<sup>1</sup> 7 F.R. 3165, 3749, 4273.

<sup>2</sup> 7 F.R. 3895, 3963, 4453.



and sold by brokers—(a) Maximum prices for brokerage sales—(1) Single shipments of 8,000 pounds or more.

*Provided*, That the seller may charge and the buyer may pay for the copper content of terminals of submarine batteries in addition to the maximum price established by this section, the maximum price provided by Revised Price Schedule No. 20, as amended—*Copper scrap and copper alloy scrap*—for such copper scrap. This proviso shall apply, but not exclusively, to any sale of a certain lot of submarine battery elements, Philadelphia Navy Yard Catalogue B-762, Lot No. 1, Catalogue dated April 7, 1942.

§ 1355.67 Appendix D: Maximum prices for battery lead scrap purchased by smelters or battery manufacturers—(a) Battery lead plates, with or without lugs attached—(1) Single shipments of 8,000 pounds or more.

*Provided*, That the seller may charge and the buyer may pay for the copper content of terminals of submarine batteries in addition to the maximum price established by this section, the maximum price provided by Revised Price Schedule No. 20, as amended—*Copper scrap and copper alloy scrap*—for such copper scrap. This proviso shall apply, but not exclusively, to any sale of a certain lot of submarine battery elements, Philadelphia Navy Yard Catalogue B-762, Lot No. 1, Catalogue dated April 7, 1942.

§ 1355.63a Effective dates of amendments.

(d) Amendment No. 3 (§§ 1355.64 (a), 1355.66 (a) (1), and 1355.67 (a) (1)) to Revised Price Schedule No. 70 shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6664; Filed, July 13, 1942;  
12:20 p. m.]

#### PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 6 to Maximum Price Regulation 127.]

##### FINISHED PIECE GOODS

A statement of the considerations involved in this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1400.78, four new subparagraphs (39) to (42), inclusive, are added to paragraph (c) and six new paragraphs (d), (e), (f), (g), (h), and (i) are added; a new § 1400.78a is added; in § 1400.80 the headnote is amended, the existing text is designated paragraph (a) and a new paragraph (b) is added; in paragraph

(a) of § 1400.81, subparagraph (4) is amended and nine new subparagraphs (11) to (19), inclusive, are added; in § 1400.82, subparagraphs (1) and (4) of paragraph (b) are amended, subparagraph (5) of paragraph (b) is revoked, the caption headings of Tables I and II in subparagraphs (2) and (3), respectively, of paragraph (g) are amended, and a new paragraph (n) is added, as set forth below:

§ 1400.78 *Exempt sales*. The provisions of this Maximum Price Regulation No. 127 shall not apply to the following:

(c) Sales or purchases of: \* \* \*

(39) Ecclesiastical fabrics

(40) Metallic fabrics

(41) Loom-finished fabrics: *Provided*, That any person claiming exemption granted by this subparagraph (41) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration: *Provided further*, That any such person shall file with the Office of Price Administration, Washington, D. C., before the 10th day of each month a report showing the total yards of finished piece goods delivered under such exemption during the preceding month.

(42) Woven or printed decorative pattern fabrics, composed in an amount of 75% or more by weight of synthetic yarn which pattern fabrics are sold exclusively to necktie manufacturers: *Provided*, That any person claiming the exemption granted by this subparagraph (42) shall, before making any sales or deliveries of such fabrics, file his name and address with the Office of Price Administration, Washington, D. C., certifying that only such fabrics as are sold exclusively to necktie manufacturers will be sold under such exemption.

(d) Sales of finished piece goods by furrier suppliers: *Provided*, That any person claiming the exemption granted by this paragraph (d) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he falls within the definition of furrier supplier as set forth in § 1400.81 (a) (16) of this Maximum Price Regulation No. 127.

(e) Sales of finished piece goods to custom shirtmakers by a custom shirtmakers' supply houses: *Provided*, That any person claiming the exemption granted by this paragraph (e) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(f) Sales of finished piece goods by a woman's shoe fabric supplier: *Provided*, That any such person claiming the exemption granted by this paragraph (f) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a woman's shoe fabric supplier as defined in

§ 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

(g) Sales of finished piece goods by a milliners' supply house: *Provided*, That any person claiming the exemption granted by this paragraph (g) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(h) Sales of finished piece goods by a tailor trimming store: *Provided*, That any person claiming the exemption granted by this paragraph (h) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(i) Sales of finished piece goods by a dressmakers' supply house: *Provided*, That any person claiming the exemption granted by this paragraph (i) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

§ 1400.78a *War procurement*. (a) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed below shall be exempt from maximum prices, by whatsoever Regulation or Schedule established, until July 15, 1942. On and after July 15, 1942, but not prior thereto, such sales and deliveries shall be subject to Maximum Price Regulation No. 157.<sup>1</sup>

(1) P. Q. D. No. 33-A (8.2 combed uniform twill).

(2) 27 T 25 (bleached and shrunk twill).

(3) Marine Corps Specification November 22, 1937 (Shrunk khaki suiting).

(4) P. Q. D. No. 95 (6 oz. combed twill).

(5) P. Q. D. No. 1 (wind resistant cloth).

(6) 6-100B (lining twill).

(7) P. Q. D. No. 17-A (mosquito netting).

(8) 27 C 13 (INT) a (balloon cloth).

(9) 6-39-G (balloon cloth).

(10) AN-CCC-C-399 (airplane cloth).

(11) Marine Corps Specification April 18, 1934, Revised to March 10, 1942 (marine shirting).

(12) M 54 (rubberized fabric).

(13) 27 L 6 (black lining twill).

(14) Specifications described in invitation Neg. 336 (balloon cloth substitute).

§ 1400.80 *Petitions for amendment or adjustment*. (a) \* \* \*

(b) A petition for adjustment may be filed by any converter whose production of finished piece goods is sold predominantly to manufacturers exclusively engaged in the production of relatively expensive dresses and who, by virtue of the terms of this Maximum Price Regulation No. 127, would suffer hardship with respect to his entire business: *Provided*, That

<sup>1</sup> 7 F.R. 3199, 3242.

<sup>2</sup> 7 F.R. 4273, 4541, 4618.



(1) Any such petition shall contain or be accompanied by a sworn statement showing:

(i) A list of the names and addresses of the dress manufacturers to whom the petitioner sells the principal part of his production.

(ii) The percentage of his total production which is sold to the enumerated customers.

(iii) The petitioner's gross sales during the years 1940 and 1941.

(iv) A full statement of all facts upon which petitioner relies in showing that hardship will result from the operation of this Maximum Price Regulation No. 127.

(v) A specific statement of the adjustment requested.

(2) Any person who has properly filed a petition for adjustment under this paragraph, and who has received notice that such petition has been docketed may, pending formal action upon such petition by the Office of Price Administration, sell and deliver finished piece goods in accordance with the prices which would be permissible under the General Maximum Price Regulation: *Provided, however*, That final settlement shall be made at prices no higher than are finally approved by the Office of Price Administration, and, if required, refunds shall be made.

**EXPLANATORY NOTE:**—For the purpose of this paragraph, the Office of Price Administration has determined that only a dress manufacturer whose minimum wholesale price line is \$16.00 or more would constitute a "manufacturer of relatively expensive dresses" except that in the case of dresses produced from all cotton fabrics such price line may be as low as \$3.75.

(3) The Price Administrator may grant such adjustment upon such terms and conditions as shall appear reasonable and necessary under all the circumstances.

§ 1400.81 *Definitions.* (a) \* \* \*

(4) "Class II purchaser" includes a retailer (whether independent retailer, chain store or mail order house), private hospital or other similar private institution, hotel, steamship company, cannasser, tailor supply store, tailor trimming store, decorative goods jobber, interior decorator, milliners' supply house, dressmakers' supply house, custom shirt-makers' supply house, and any similar class of purchaser not specifically enumerated herein.

(11) "Women's shoe fabric supplier" means a person engaged in the business of and whose principal business consists of supplying to shoe manufacturers and shoe ornament manufacturers fabrics destined for use as outer fabrics, heel coverings, linings and ornaments for women's novelty shoes (a substantial part of such business being done in outer fabrics), and who, by business custom, has customarily given to such manufacturer a warranty that the fabric is suitable as a shoe fabric.

(12) "Ecclesiastical fabrics" means finished piece goods woven, printed, dyed or embossed in colors, patterns or de-

signs prescribed by religious law or tradition, and sold exclusively for use in the manufacture of religious accessories.

(13) "Metallic fabrics" means finished piece goods which contain woven metal in the amount of five percent or more by weight.

(14) "Loom-finished fabrics" means yarn-dyed or warp-printed piece goods which (i) are woven on a non-automatic loom; (ii) are produced in quantities of less than 3000 yards per warp design, per month; (iii) use not more than two looms per pattern per design, (iv) require no finishing other than calendaring or framing after leaving the loom, and (v) constitute a type not commercially traded in as grey goods.

(15) "Furrier supplier" means a person customarily engaged in the business of and whose principal business with respect to finished piece goods consists of supplying to manufacturers, repairers and alterers of fur garments, finished piece goods in cut lengths of specified yardage.

(16) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing, and shall be deemed to include stores operated as Army canteens, post exchanges or ship's service activities.

(17) "Tailor trimming store" includes a tailor supply house, and means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to tailors engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(18) "Dressmakers' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to dressmakers engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(19) "Milliners' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to persons engaged in the producing, repairing or altering of millinery.

§ 1400.82 *Appendix A: Maximum prices for finished piece goods.* \* \* \*

(b) *Basic grey goods cost.* (1) Except as otherwise specifically provided in this paragraph and in paragraph (d) of this section, the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

(4) If for any reason the basic grey goods cost cannot be determined under subparagraphs (1) and (2) of this paragraph, then the basic grey goods cost

shall be no higher than the established maximum price for such grey goods on July 14, 1942.

(g) *Tables of division factors.* \* \* \*

(2) \* \* \*

TABLE I—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING 75% OR MORE OF COTTON BY WEIGHT

Finishing cost, cents per yard	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
.	.	.	.	.

\* Determined in accordance with paragraph (e) above.

(3) \* \* \*

TABLE II—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING LESS THAN 75% COTTON BY WEIGHT

Finishing cost, cents per yard	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
.	.	.	.	.

\* Determined in accordance with paragraph (e) above.

(n) *Premiums*—(1) *Sales of cut lengths.*

A premium not exceeding 10% of the otherwise applicable maximum net price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece to fill a specific order: *Provided*, That such premium may not be charged where the finished piece goods are produced in such cut lengths as a part of the original finishing operation: *Provided further*, That such premium may not be charged on a sale to a wholesaler or jobber.

§ 1400.85 *Effective dates of amendments.* \* \* \*

(f) Amendment No. 6 (§§ 1400.78 (c), (d), (e), (f), (g), (h), and (i), 1400.78a, 1400.81 (a) (4), (11), (12), (13), (14), (15), (16), (17), (18), and (19), 1400.82 (b) (1), (b) (4), (b) (5), (g) (2), (g) (3), and (n)) to Maximum Price Regulation No. 127 shall become effective July 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 13th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6363; Filed, July 13, 1942; 12:18 p.m.]

PART 1499—COMMODITIES AND SERVICES  
[Amendment 12 to General Maximum Price Regulation]

RETAIL SELLERS OPERATING MORE THAN ONE ESTABLISHMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith,



has been filed with the Division of the Federal Register.

A new § 1499.4a is added as set forth below:

§ 1499.4a *Determination of maximum prices by sellers at retail operating more than one retail establishment.* A seller who owns more than one establishment selling commodities at retail and who has had a fixed practice, which prevailed during March 1942, of selling commodities at retail at uniform or at substantially uniform prices in all such establishments or in all such establishments located in a particular area may make written application to the Office of Price Administration, Retail Trade and Services Division, Washington, D. C., for authorization to determine and use uniform maximum prices under this General Maximum Price Regulation in all of such establishments in which it has been the practice to charge uniform or substantially uniform prices. Such application shall state (a) the name and address of the principal office of the seller; (b) the number of separate retail establishments owned by the seller and the address of each such establishment; (c) the kind of merchandise carried in such retail establishments; (d) whether commodities are purchased centrally by the seller and distributed by the seller to such retail establishments or are purchased separately by such establishments; (e) a description of the fixed practice of the seller of selling commodities at uniform or substantially uniform prices in all such retail establishments or in all such retail establishments located in particular areas indicating the length of time during which such practice has been in effect and whether uniform selling prices are determined in a central office; (f) the names and addresses of the seller's most closely competitive sellers of the same class on a national or regional basis; and (g) any other facts which the seller wishes to submit in support of the application. If such authorization is given, it will be accompanied by instructions as to the method by which the seller may determine and use uniform maximum prices under this General Maximum Price Regulation.

§ 1499.23a *Effective dates of amendments.* \* \* \*

(1) Amendment No. 12 (§ 1499.4a) to General Maximum Price Regulation shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6661; Filed, July 13, 1942;  
12:18 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation<sup>1</sup>—  
Amendment 14 to Supplementary Regulation 1<sup>2</sup>]

##### AGENCIES FOR THE BLIND

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1499.26 is amended by adding new subparagraphs (2) and (3) to paragraph (b) and new subdivisions (x) and (xi) to paragraph (d) (1), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.*  
\* \* \*

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries:

(2) Sales by non-profit-making agencies for the blind of any commodity on which seventy-five percent of the direct labor in man-hours has been performed by blind persons.

(3) Talking books manufactured by the American Foundation for the Blind and sold to the Library of Congress.

(d) *Definitions.* (1) When used in this Supplementary Regulation No. 1, the term:

(x) "Non-profit-making agency for the blind" means any institution operated in the interest of blind persons, the net income of which institution does not inure in whole or in part to the benefit of shareholders or individuals.

(xi) "Blind persons" means persons whose visual acuity does not exceed 20/200 in the better eye with correcting lenses; or whose visual acuity is greater than 20/200 but who have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(e) *Effective dates.* \* \* \*

(15) Amendment No. 14 (§ 1499.26 (b) (2) (3), (d) (1) (x) (xi)) to Supplementary Regulation No. 1 shall become effective July 14, 1942. (Pub. Law 421, 77th Cong.)

Issued this 13th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6659; Filed, July 13, 1942;  
12:16 p. m.]

<sup>1</sup>7 F.R. 3153, 3330, 3666, 3990, 3991.

<sup>2</sup>7 F.R. 3153, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493.

#### PART 1499—COMMODITIES AND SERVICES

MILLER METAL PRODUCTS CO.

APPROVAL OF PRICES FOR SALE OF CERTAIN ICE CHESTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation<sup>1</sup>—Order No. 25.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,<sup>2</sup> and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.62 *Approval of maximum prices for sale of 148 ice chests to Farm Security Agency by Miller Metal Products Company.* (a) The maximum price for the sale of 148 ice chests by the Miller Metal Products Company of Baltimore, Maryland, to the Farm Security Agency pursuant to an acceptance, dated May 6, 1942, of a proposal of the Miller Metal Products Company, shall be \$15.00 per unit, f. o. b. McAllen, Texas.

(b) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 25 (§ 1499.62) shall become effective July 13, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of July, 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6658; Filed, July 13, 1942;  
12:16 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

NATIONAL GYPSUM CO.

AUTHORIZATION FOR DETERMINATION OF PRICES FOR CERTAIN NEW PRODUCTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation<sup>1</sup>—Order No. 26.

On May 22 and June 9, 1942, the National Gypsum Company of Buffalo, New York filed applications with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine maximum prices for certain new products and for instructions as to the method to be used in determining prices for such products to be manufactured by them. These new products are (1) gypsum wallboard consisting of panels of standard one-half inch thick gypsum wallboard laminated together to

<sup>1</sup>7 F.R. 3153, 3330, 3666, 3990, 3991.

<sup>2</sup>Copies may be obtained from the Office of Price Administration.

<sup>3</sup>7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.



form a one inch thick two-faced panel, (2) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board, (3) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board which has been previously laminated to another gypsum board and (4) standard smooth surface asphalt roll roofing laminated to a fully completed standard gypsum board which has been previously laminated to a fiber insulation building board.

Due consideration has been given to the applications and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration it is hereby ordered:

§ 1499.63 *Authorization for National Gypsum Company to determine maximum prices for certain new products.* (a) The maximum prices which may be charged by National Gypsum Company for (1) gypsum wallboard consisting of panels of standard one-half inch thick gypsum wallboard laminated together to form a one-inch thick two-faced panel, (2) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board, (3) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board which has been previously laminated to another gypsum board and (4) standard smooth surface asphalt roll roofing laminated to a fully completed standard gypsum board which has been previously laminated to a fiber insulation building board shall be determined in accordance with the following formula:

Determine in accordance with the provisions of the General Maximum Price Regulation the f. o. b. mill selling price on a carload basis of the square footage of gypsum board which is to be used in the manufacture of 1,000 square feet of the new product. Determine in accordance with the provisions of the General Maximum Price Regulation the selling price to jobbers on a carload basis, f. o. b. gypsum board mill, of the square footage of fiber insulation board which is to be used in the manufacture of 1,000 square feet of the new product. Develop in terms of percentage on average May 1942 prime cost (material cost plus direct labor) the gross margin between the total selling price as determined above of the quantities of gypsum board and/or fiber insulation board which are to be used in the manufacture of 1,000 square feet of the new product and the average May prime cost of that gypsum board and/or fiber insulation board. Compute the total of those of the following additional cost factors involved in fabricating the new product per 1,000 square feet of the new product: cost of

asphalt roll roofing f. o. b. gypsum plant, adhesive, direct labor, wrapping paper, and direct labor in wrapping. The labor factors shall be determined on the basis of the highest rate charged during March 1942 for similar labor. To this total of additional cost factors involved, add the percentage of gross margin as developed above. Add the resultant figure to the selling prices, as determined above, of the gypsum board and fiber insulation board entering into 1,000 square feet of the new product.

A separate determination of price shall be made for each product for each plant at which it is manufactured using the cost factors set forth in the formula which are applicable to that new product at each such plant.

(b) All freight equalization practices and allowances and all trade or cash discounts applicable to the sale of gypsum board, whether based on quantity, class of purchaser or any other cause shall be applicable to the sale of any products whose maximum prices are established under this Order.

(c) Within ten days after a maximum price has been determined in accordance with this Order, the National Gypsum Company shall report that price to the Office of Price Administration, stating that the price was determined in accordance with the formula set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining that price. This report shall be filed under oath or affirmation and shall be filed in triplicate.

(d) Any selling price determined under this Order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 26 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 26 (§ 1499.63) shall become effective July 13, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6555; Filed, July 13, 1942;  
12:14 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized under § 1499.3 (b) of General Maximum Price Regulation<sup>1</sup>—Order 27]

GLIDDEN CO. OF CLEVELAND, OHIO

PRICES FOR PAINT APPLICATOR AND REPLACEMENT SLEEVE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,<sup>2</sup> and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation it is hereby ordered:

<sup>1</sup> 7 F.R. 3153, 3330, 3600, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

<sup>2</sup> Copies may be obtained from Office of Price Administration.

§ 1499.64 *Approval of maximum price for sale of paint applicator and replacement sleeve by the Glidden Company of Cleveland, Ohio.* (a) The maximum price for the sale by the Glidden Company of Cleveland, Ohio, of the paint applicator bearing the trade name "Roll-it-on", consisting of a thin metal cylinder about 6" long and  $\frac{3}{8}$ " in diameter attached to an appropriate handle, and the removable sleeve fitting over the said metal cylinder shall be \$0.85 for the applicator and sleeve together, and \$0.40 for the replacement sleeve alone.

(b) This Order No. 27 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 27 (§ 1499.64) shall become effective July 13, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6556; Filed, July 13, 1942;  
12:15 p. m.]

#### TITLE 33—NAVIGATION AND NAVIGABLE WATERS

##### Chapter I—Coast Guard, Department of the Navy

##### PART 9—GENERAL LICENSES FOR MOVEMENTS OF VESSELS WITHIN, OR DEPARTURE FROM, TERRITORIAL WATERS

###### GENERAL LICENSE NO. 1 AMENDED

By virtue of the authority vested in me by § 6.6 (d) of this chapter (6 F.R. 5222), Part 9 thereof (6 F.R. 5342), as amended, is hereby further amended by revising paragraphs (a) and (b) of § 9.1 to read as follows:

§ 9.1 *General License No. 1.*<sup>1</sup> (a) Vessels under 100 feet in over-all length when operating within 100 feet of any Navy Yard, shipbuilding plant, power plant, oil terminal, marine terminal, munitions plant, Military or Navy arsenal or depot, warehouse, freight pier, bridge pier or abutment, or shore terminal or facility of any tunnel. This restriction does not extend to (1) barges, scows, rafts, and similar craft having no means of self propulsion, or (2) vessels which are proceeding to, or departing from, a pier or other waterfront facility with the prior permission of the owner or operator of such pier or facility.

(b) The waters of the State of Rhode Island commonly known as the West Passage of Narragansett Bay and Sakonnet River.

R. R. WAESCHE,  
Commandant, U. S. Coast Guard.  
Approved: July 8, 1942.

FRANK KNOX,  
Secretary of the Navy.

[F. R. Doc. 42-6552; Filed, July 10, 1942;  
12:59 p. m.]

<sup>1</sup> 6 F.R. 5342; 7 F.R. 43, 1721, 2176, 2477, 8213.



## TITLE 46—SHIPPING

## Chapter IV—War Shipping Administration

PART 341—SHIP WARRANT REGULATIONS  
VESSELS OPERATED IN COAL TRADE TO NEW ENGLAND

JUNE 19, 1942.

Subject to and effective immediately upon approval by the President, and pursuant to the authority vested in me by Executive Order, February 7th, 1942 (No. 9054), the Ship Warrant Regulations, as amended, issued by the United States Maritime Commission on August 14, 1941, under the authority contained in the Act, approved July 14, 1941 (Public Law 173—Seventy-Seventh Congress), and Executive Order of August 26, 1941 (No. 8871), and adopted by the War Shipping Administration on February 18, 1942, are hereby changed so that Part 241, Ship Warrant Regulations of the Maritime Commission will hereafter be known as Part 341, Ship Warrant Regulations, War Shipping Administration and the respective sections formerly numbered §§ 241.1 to 241.73 are hereby changed to §§ 341.1 to 341.73, and are further amended, as follows:

(1) Amend § 341.1 (a)<sup>1</sup> by striking out the semicolon at the end thereof, and inserting a comma and the following:

\* \* \* or unless the vessel is a documented or undocumented barge (or tug customarily engaged in towing such a barge) operated in the coal trade to New England;

(2) Amend § 341.31 (a) (as amended January 8, 1942, F. R. Doc. 42-152)<sup>1</sup> by striking out the semicolon at the end thereof, and inserting a comma and the following:

\* \* \* and to barges of any gross tonnage, operated in the coal trade to New England;

(3) Amend the first sentence of § 341.31 (c) as amended January 8, 1942, (F. R. Doc. 42-152)<sup>1</sup> to read as follows:

Class SW-3 shall consist of vessels of less than 1,000 gross tons, other than (1) railroad car ferries, (2) tug boats, (3) salvage and other vessels used in servicing vessels, and (4) barges operated in the coal trade to New England. \* \* \*

By Order of the War Shipping Administration.

[SEAL]

W. C. PRET, Jr.,  
Secretary.

Approved: July 3, 1942.

FRANKLIN D. ROOSEVELT,  
The White House.[F. R. Doc. 42-6608; Filed, July 11, 1942;  
10:26 a. m.]<sup>1</sup> 6 F. R. 4537; 7 F. R. 164.TITLE 42—TRANSPORTATION AND  
RAILROADSChapter I—Interstate Commerce  
Commission

## Subchapter D—Freight Forwarders

PART 410—APPLICATIONS FOR PERMITS<sup>1</sup>

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 3d day of July, A. D. 1942.

The matter of applications under the above title being under consideration:

*It is ordered*, That the following regulations be issued to continue in effect until the further order of the Commission:

Sec.

410.1 Form of application.

410.2 Filing of application.

410.3 Service of application.

410.4 Notice of the filing of application.

**AUTHORITY:** §§ 410.1 to 410.4, inclusive, issued under section 410, 56 Stat. 291; 49 U.S.C. 1010.

§ 410.1 *Form of application.* Applications under section 410 of the Interstate Commerce Act for a permit authorizing operation as a freight forwarder, in interstate or foreign commerce, subject to part IV of the act shall be in the form (FF 1) attached hereto and made a part hereof,<sup>2</sup> and shall contain the information called for, in accordance with the instructions attached hereto and made a part hereof.

§ 410.2 *Filing of application.* The verified original application and four additional true copies thereof shall be filed with the Interstate Commerce Commission.

§ 410.3 *Service of application.* A true copy of the application shall be served, in person or by mail, upon the Governor of each State in which applicant proposes to engage in forwarder service.

§ 410.4 *Notice of the filing of an application.* Notice of the filing of the application for a freight forwarder permit shall be in the form (FF 2) attached hereto and made a part hereof,<sup>2</sup> and shall be delivered in person or sent by mail to each freight forwarder, known to applicant, with whose services the operations described in such notice would be competitive.

By the Commission, division 4.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 42-6645; Filed, July 13, 1942;  
11:51 a. m.]

<sup>2</sup> See Interstate Commerce Commission *infra*, this issue.

<sup>2</sup> Filed as part of the original document.

## Notices

## DEPARTMENT OF STATE.

## TRANSPORTATION OF CERTAIN ALIENS

## GENERAL LICENSE 1

Pursuant to Executive Order 2729-A, promulgated by the President on October 12, 1917 under section 3 (b) of the Trading-with-the-enemy Act of October 6, 1917 (40 Stat. 412), the Secretary of State hereby issues the following license.

## GENERAL LICENSE 1

Section 1. *Definitions.* For the purpose of this general license:

(a) The term "United States", as used herein, shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof.

(b) The term "permit to depart" means a copy of the application for a permit to depart (form AD-1) duly executed by an alien, approved and appropriately endorsed by the Secretary of State as provided in the regulations issued by the Secretary of State, with the concurrence of the Attorney General, on November 19, 1941 (22 CFR 58.31 (b); 6 F. R. 5929), pursuant to Proclamation 2523, promulgated by the President on November 14, 1941 (6 F. R. 5821; see also *ibid.* 5869), under the provisions of the act of May 22, 1918 (40 Stat. 559) as amended by the act of June 21, 1941 (55 Stat. 252).

(c) The term "permit to enter" is defined in the regulations issued by the Secretary of State, with the concurrence of the Attorney General, on November 19, 1941 (22 CFR 58.41 (c); 6 F. R. 5929), in accordance with Proclamation 2523 promulgated by the President on November 14, 1941 (6 F. R. 5821) under the act of May 22, 1918 (40 Stat. 559) as amended by the act of June 21, 1941 (55 Stat. 252).

Section 2. *General license granted.* A general license is hereby granted, authorizing for the purpose of section 3 (b) of the Trading-with-the-enemy Act:

(a) The transportation of any citizen or subject of an enemy, or ally-of-an-enemy, nation, from any point within the United States to any point outside the United States: *Provided*, That such citizen or subject has a valid permit to depart, a valid exit visa, a valid border-crossing identification card issued on or after December 7, 1941, or a valid re-entry permit issued with the concurrence of the Secretary of State as to destination, or that he is exempted under § 58.23 of title 22 of the regulations (6 F. R. 5927) from the necessity of obtaining a permit to depart: *Provided further*, However, that if such citizen or subject



obtains a permit to depart, an exit visa, a border-crossing identification card, or a re-entry permit, the license hereby granted shall extend only to transportation to the destination for which such documents were granted, or the destination specified therein.

(b) The transportation of any citizen or subject of an enemy, or ally-of-an-enemy, nation who has a valid permit to enter the United States issued on or after December 7, 1941, or who is exempted under § 58.44 or § 58.45 of title 22 of the regulations (6 F.R. 5930) from the necessity of obtaining a permit to enter, provided that such transportation shall be from a point outside the United States to a point in the United States in the ordinary course of the alien's journey, and shall not include travel through the Panama Canal Zone or any restricted military or naval area, unless permission to travel through the Panama Canal Zone or such area shall have been procured from the appropriate authorities of the United States.

(c) The transportation within the United States of any citizen or subject of an enemy, or ally-of-an-enemy, nation, whose transportation has been authorized by the Attorney General or by the Secretary of War, under Proclamations 2525 (6 F.R. 6321), 2526 (6 F.R. 6323), and 2527 (6 F.R. 6324), and rules and regulations thereunder.

Section 3. *Reservation of the power to withdraw the general license.* This general license may be withdrawn with reference to the carriage of any citizen or subject of an enemy, or ally-of-an-enemy, nation, or any class thereof, by order of the Secretary of State, and nothing in this order shall be construed as exempting any alien from the necessity of complying with any other laws, regulations, or requirements relating to travel to or from the United States.

[SEAL] CORDELL HULL,  
Secretary of State.

JULY 8, 1942.

[F. R. Doc. 42-6583; Filed, July 10, 1942;  
12:32 p. m.]

#### WAR DEPARTMENT.

[Civilian Exclusion Order No. 100]

COUNTIES OF MODOC, LASSEN, PLUMAS,  
BUTTE, TEHAMA, SHASTA AND SISKIYOU,  
CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED  
FROM RESTRICTED AREA

Headquarters Western Defense Com-  
mand and Fourth Army, Presidio of  
San Francisco, California

JUNE 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 6,<sup>2</sup> this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, all persons of Japanese ancestry, both alien

<sup>1</sup> 7 F.R. 2320.

<sup>2</sup> 7 F.R. 4436.

and non-alien, be excluded from that portion of Military area No. 2 described as follows:

All of the Counties of Modoc, Lassen and Plumas, State of California, and all those portions of the Counties of Butte, Tehama, Shasta and Siskiyou, State of California, lying easterly of a line beginning at the intersection of the westerly line of U. S. Highway No. 97 and the Oregon-California State Line; thence southerly along the westerly line of U. S. Highway No. 97 to its intersection with the westerly line of U. S. Highway No. 99; thence southerly along the westerly line of U. S. Highway No. 99 to the junction of U. S. Highway Nos. 99W and 99E at or near Red Bluff; thence southerly along the westerly line of U. S. Highway No. 99E to its intersection with the Sutter-Butte County line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, July 4, 1942, or during the same hours on Sunday, July 5, 1942, to the Civil Control Station located at: 509 Main Street, Chico, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,  
Lieutenant General, U. S. Army,  
Commanding.

Confirmed:

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6601; Filed, July 11, 1942;  
10:16 a. m.]

[Civilian Exclusion Order No. 101]

COUNTIES OF SIERRA, NEVADA, YUBA, AND  
SUTTER, STATE OF CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED  
FROM RESTRICTED AREA

Headquarters Western Defense Com-  
mand and Fourth Army, Presidio of  
San Francisco, California

JUNE 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 6,<sup>2</sup> this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, all persons of Japanese ancestry, both

alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All of the Counties of Sierra and Nevada, State of California, and all those portions of the Counties of Yuba and Sutter, State of California, lying easterly of the westerly line of U. S. Highway No. 99E.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Sunday, July 5, 1942, or during the same hours on Monday, July 6, 1942, to the Civil Control Station located at: 319 C Street, Marysville, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,  
Lieutenant General, U. S. Army,  
Commanding.

Confirmed:

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6602; Filed, July 11, 1942;  
10:15 a. m.]

[Civilian Exclusion Order No. 102]

COUNTIES OF ALPINE, MONO, PLACER, EL-  
DORADO, AMADOR, CALAVERAS, TUOLUMNE,  
MARIPOSA, AND MADERA, STATE OF CALI-  
FORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED  
FROM RESTRICTED AREA

Headquarters Western Defense Com-  
mand and Fourth Army, Presidio of  
San Francisco, California.

JUNE 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 6,<sup>2</sup> this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All of the Counties of Alpine and Mono, State of California, and all those portions of the Counties of Placer, Eldorado, Amador, Calaveras, Tuolumne, Mariposa and Madera, State of California, lying easterly of a line beginning at the intersection of the westerly



line of U. S. Highway No. 99E and the Yuba-Placer County Line; thence southerly along the westerly line of U. S. Highway No. 99E to its intersection with the southerly line of a paved road running easterly from Lincoln, California; thence in an easterly direction along the southerly line of said paved road to U. S. Highway No. 40 at or near Newcastle; thence in a northeasterly direction along the southeasterly line of U. S. Highway No. 40 to its intersection with the westerly line of California State Highway No. 49 at or near Auburn, California; thence southerly along the westerly line of said Highway No. 49 to its intersection at or near Mariposa with the westerly line of the paved, improved and unimproved road running in a southerly direction to Mormon Bar and Ben Hur; thence southerly along the westerly line of said paved, improved and unimproved road through Mormon Bar and Ben Hur to a point at or near Raymond where the same intersects the southerly line of a road running in an easterly direction from Raymond to Coarse Gold; thence easterly along the southerly line of said road to its intersection with California State Highway No. 41 at or near Coarse Gold; thence in a southerly direction along the westerly line of California State Highway No. 41 to its intersection with the Madera-Fresno County Line southwest of Friant.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Sunday, July 5, 1942, or during the same hours on Monday, July 6, 1942, to the Civil Control Station located at: Municipal Civic Auditorium, Lincoln, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,  
Lieutenant General, U. S. Army,  
Commanding.

Confirmed.

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6603; Filed, July 11, 1942;  
10:16 a. m.]

[Civilian Exclusion Order No. 103]

#### FRESNO COUNTY, CALIFORNIA

#### PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JULY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 6<sup>2</sup>, this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military area No. 2 described as follows:

All of that portion of the County of Fresno, State of California, lying easterly and northerly of a line beginning at a point at which the westerly line of California State Highway No. 41 intersects the Madera-Fresno County Line; thence southerly along the westerly line of said Highway No. 41 to its intersection with the city limits of the City of Fresno; thence easterly and southerly along said city limits to a point where the same intersects California State Highway No. 180; thence easterly along the southerly line of said State Highway No. 180 to its intersection with the Fresno-Tulare County Line east of Pinehurst; thence easterly along said county line to the Fresno-Inyo County Line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 a. m. and 5:00 p. m., Wednesday, July 8, 1942, or during the same hours on Thursday, July 9, 1942, to the Civil Control Station located at: Clovis Union High School Gymnasium, corner Fifth and Baron Streets, Clovis, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from

17 F.R. 2320.

17 F.R. 4436.

the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,  
Lieutenant General, U. S.  
Army Commanding.

Confirmed:

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6604; Filed, July 11, 1942;  
10:16 a. m.]

[Civilian Exclusion Order No. 104]

#### COUNTIES OF INYO, TULARE, AND KERN, STATE OF CALIFORNIA

#### PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JULY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 6<sup>2</sup>, this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All of the County of Inyo, State of California, and all those portions of the Counties of Tulare and Kern, State of California, lying easterly and northerly of a line beginning at the point of intersection of State Highway No. 180 and the Tulare-Fresno County Line east of Pinehurst; thence westerly along the southerly line of said highway to its intersection with the westerly line of State Highway No. 66; thence southerly along the westerly line of said highway to a point at or near Ducor where the same intersects the southerly line of a paved road running easterly from Ducor to Fountain Springs; thence easterly along the southerly line of said road to the point at or near Fountain Springs where the same intersects the westerly line of a paved road running in a southeasterly direction from Fountain Springs to Glennville; thence southeasterly along the westerly line of said road from Fountain Springs to the point at or near Glennville where the same intersects the southerly line of a paved and improved road running east from Glennville past Kern County Park; thence easterly along the southerly line of said road to its intersection with the paved road between Isabella and Kernville at a point about one mile south of Kernville; thence in a southerly direction along the westerly line of said road to the point at or near Isabella where the same intersects State Highway No. 170; thence in an easterly direction along the southerly line of said highway through Walker Pass to the point where the same intersects U. S. Highway No. 6; thence north-



easterly along the easterly line of said highway No. 6 to the point approximately three miles north of Freeman where the same intersects the paved road running easterly to Inyokern; thence easterly along the southerly line of said paved road to its intersection with U. S. Highway No. 395; thence southeasterly along the westerly line of said highway No. 395 to the Kern-San Bernardino County Line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 a. m. and 5:00 p. m., Wednesday, July 8, 1942, or during the same hours on Thursday, July 9, 1942, to the Civil Control Station located at: Lincoln Junior High School, corner Howard and Hermosa Streets, Lindsay, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this Order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,  
Lieutenant General, U. S. Army,  
Commanding.

Confirmed:

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-6605; Filed, July 11, 1942;  
10:16 a. m.]

## DEPARTMENT OF THE INTERIOR.

### Bituminous Coal Division.

[Docket Nos. B-189, B-190]

### WHEELING VALLEY COAL CORPORATION, AND COVE HILL COAL COMPANY

### NOTICE OF FILING OF JOINT APPLICATION FOR DISPOSITION OF PROCEEDINGS WITHOUT FORMAL HEARINGS

Notice is hereby given that Wheeling Valley Coal Corporation ("Wheeling Valley") and Cove Hill Coal Company ("Cove Hill"), named in the above entitled matters, filed a joint application dated July 2, 1942, pursuant to section 301.132 of the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division (the "Division") for disposition of these proceedings without formal hearings.

In said application, Wheeling Valley and Cove Hill admit all of the violations

referred to in the respective Notices of and Orders for Hearing herein dated April 18, 1942, consent to the entry of orders of revocation of their respective Code Memberships and agree to pay to the United States, penalty taxes in the aggregate amount of Eleven Thousand Five Hundred Dollars and Thirty-seven Cents (\$11,500.37), in approximately equal shares, as a condition to the restoration of their respective code memberships and consent to the entry of cease and desist orders against them respectively as more particularly hereinafter set forth:

#### A. As to Wheeling Valley—Docket No. B-189

Wheeling Valley consents to the entry of an order of revocation of its code membership based upon the admitted violations alleged in paragraphs I and II of the Complaint in B-189, as follows:

I. The sale of 7521.95 net tons of coal produced at its Richland and Costanzo Mines to J. Q. Clarke Coal Company, Inc., Registered Distributor, from October 1, 1940, to February 4, 1941, both dates inclusive, in violation of Part II (e) and (h) of the Code and Rule 1 of section III of the Marketing Rules and Regulations.

II. The sale of 448 net tons of coal produced at its Richland and Costanzo Mines (509.25 net tons having been alleged in said Complaint) sold to said J. Q. Clarke Coal Company, Inc., Registered Distributor, from October 17, 1940, to February 3, 1941, both dates inclusive, in violation of Part 4 II (e) and (h) of the Code and Rule 1 of section III of the Marketing Rules and Regulations.

The penalty tax agreed to be paid thereon by the Code Member amounts to \$5,750.14, half of which the Code Member agrees to pay immediately upon being served with the order of revocation and the balance in eight equal monthly installments beginning with the first day of August 1942, pursuant to an arrangement with the Bureau of Internal Revenue.

Wheeling Valley consents to an order directing it to cease and desist from the violations alleged in paragraphs I and II of the Complaint and the violations alleged in the subsequent paragraphs thereof as follows:

III. By selling and delivering 2,226.05 tons of 2" nut slack coal during December 1940, and 3,881.45 net tons of 2" nut slack coal during January 1941, produced at its Devenny No. 1 Mine to Weltron Steel Company, West Virginia, below the effective minimum prices therefor in violation of Part II (e) and (g) of the Code.

IV. By selling 7,236.60 net tons of various sizes of coal during the months of October 1940, through March, 1941, produced at its Richland Mine to the Universal Cyclops Steel Corporation, Titusville, Pennsylvania, below the effective minimum prices therefor in violation of Part II (e) of the Code.

V. By selling and delivering 5,729.95 net tons of coal during the months of October 1940 through December 1940 produced at its Richland and Costanzo Mines to the Globe Brick Company, Ken-

nolworth, West Virginia, below the effective minimum prices therefor in violation of Part II (e) of the Code.

VI. By selling a mixture of 5,615.3 tons of 2" lump coal produced at its Devenny No. 1 Mine and its Richland Mine to said Globe Brick Company at prices below the effective minimum prices therefor and by filing invoices with the Statistical Bureau for District No. 6 falsely reporting that all of said coal originated at its Devenny No. 1 Mine and not showing thereon that any of said coal originated at its Richland Mine in violation of Part II (e) and (i), (8) of the Code, Order issued October 9, 1940, in General Docket No. 19 and Rule 8 of section XIII of the Marketing Rules and Regulations.

VII. By substituting 73,038.05 net tons of egg coal produced at its Richland and Costanzo Mines upon an order for run of mine coal and delivering the same to the Pennsylvania Railroad Company during the period October 1, 1940 to March 31, 1941, both dates inclusive, in violation of Part II (e) of the Code and Rule 1 (f) of section XI of the Marketing Rules and Regulations.

VIII. By paying to Pocahontas Coal Corporation a commission of 12 cents per net ton on approximately 5,502.90 tons of coal sold during the period December 31, 1940 to January 31, 1941, both dates inclusive, which commissions were 7 cents per net ton in excess of the maximum discount allowable to a registered distributor on sale of on-line railroad fuel in violation of Rule 13 of section II of the Marketing Rules and Regulations.

IX. By selling and delivering 261.69 net tons of 2" nut slack coal during November, 1940 and 644.25 net tons of 1 1/4" slack coal during December, 1940 produced at its Devenny No. 1 Mine to the Toronto Paper Company although minimum prices, temporary or final, for such deliveries, had not been established, in violation of Order issued October 9, 1940 in General Docket No. 19.

#### B. As to Cove Hill—Docket No. B-190

Cove Hill consents to the entry of an order of revocation of its code membership based upon its admitted violations alleged in Paragraph II of the Complaint as follows:

By selling and delivering 5,981.25 tons of various sizes of coal produced at its Three Springs No. 1 Mine and Three Springs No. 2 Mine to the Crescent Brick Company, New Cumberland, Maryland, during the months January, February and March, 1941, and 204 tons of 4" lump coal on December 31, 1940, in violation of Part II (e) and (g) of the Code.

The penalty tax agreed to be paid thereon by the Code Member amounts to \$5,750.23, half of which the Code Member agrees to pay immediately upon being served with the order of revocation and the balance in eight equal monthly installments beginning with the first day of August, 1942, pursuant to an arrangement with the Bureau of Internal Revenue.

Cove Hill consents to an order directing it to cease and desist from the viola-



tions alleged in Paragraph II of the Complaint and the violations alleged in the other paragraphs thereof as follows:

I. By selling and delivering 141,074.75 tons of various sizes of coal during the months of October, 1940 through March, 1941, produced at its Three Springs Nos. 1 and 2 Mines to the Weirton Steel Company, Weirton, West Virginia, below the effective minimum prices therefor, in violation of Part II (e) and (g) of the Code.

III. By selling and delivering 5,234.40 tons of 1½" slack and 2" nut and slack coal during the months of October, 1940 through January, 1941, produced at its Three Springs 1 and 2 Mines to the Toronto Paper Company although minimum prices, temporary or final, for such deliveries had not been established by the Division, in violation of Order issued October 9, 1940, in General Docket No. 19.

IV. By selling and delivering 2,150.11 tons of 2" x 5" coal produced at its Three Springs Nos. 1 and 2 Mines to various purchasers although minimum prices, temporary or final, for such deliveries, had not been established by the Division in violation of Order issued October 9, 1940 in General Docket No. 19.

In said application, applicants state that to the best of their belief and knowledge they have not committed any violations of the Act, the Code, or regulations thereunder, other than those referred to in said Notices of and Orders for Hearing herein dated April 18, 1942.

Also, in said application, applicants state that

All of the transactions involved in these matters were handled by the Costanzo Coal Mining Company as sales agent for the two code members, and it is so alleged in the respective notices of and orders for hearing, dated April 18, 1942. The Costanzo Coal Mining Company in Docket No. 1540-FD has had a severe penalty imposed upon it in the suspension of its distributor's registration. (Nine months) The code members were passive participants in all of the transactions and no culpability should attach to them in any event.

Interested parties desiring to do so may file recommendations, or requests for informal conference in respect to the above-described application within fifteen (15) days from the date of this notice.

Dated: July 9, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6562; Filed, July 10, 1942;  
11:07 a. m.]

[Docket Nos. A-1511, A-1511, Part II]

#### DISTRICT BOARD 2

#### MEMORANDUM OPINION AND ORDER SEVERING DOCKETS, ORDER GRANTING IN PART TEMPORARY RELIEF, AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

In the matter of the petition of District Board No. 2 for the establishment

of price classifications and minimum prices for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Co.); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Co.); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Co.; and the Bertone Mine, Mine Index No. 511, of Sam Bertone.

The original petition in the above-entitled matters which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 2.

The petition proposed that price classifications and minimum prices be made effective from two shipping points, Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad, and Pricedale, Pennsylvania, on the Monessen Southwestern Railway, for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for All Shipments Except Truck. While it appears that an adequate showing of necessity has been made for the granting of temporary relief by establishing temporary price classifications and minimum prices for the coals of the above-named mines for All Shipments Except Truck, from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad, it appears that the original petitioner has not set forth sufficient facts to warrant making such classifications and minimum prices effective from Pricedale, Pennsylvania, on the Monessen Southwestern Railway for the coals of these mines for All Shipments Except Truck, without a hearing, and for the further reason that the Monessen Southwestern Railway is not listed by the Interstate Commerce Commission as a common carrier, and that, while it is a common carrier within the State of Pennsylvania, it has not on file with the Public Utility Commission of Pennsylvania appropriate tariffs or freight rates for the shipment of coal from Pricedale, Pennsylvania.

Now, therefore, it is ordered, That the portion of Docket No. A-1511 relating to the coals of the Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511 of Sam Bertone, be, and it hereby is, severed from the remainder of Docket No. A-1511, and designated as Docket No. A-1511, Part II.

It is further ordered, That a hearing in Docket No. A-1511 Part II under the applicable provisions of said Act and the rules of the Division be held on August 24, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Division proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 17, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for All Shipments Except Truck, for shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway and from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad.

It is further ordered, That, pending final disposition of Docket No. A-1511, Part II, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices



for District No. 2 for All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

Notice is hereby given that application to stay, terminate or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6638; Filed, July 13, 1942;  
10:30 a. m.]

[Docket Nos. A-1504, A-1504 Part II]

#### DISTRICT BOARD 4

#### MEMORANDA OPINION AND ORDER SEVERING DOCKETS AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; and requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for all shipments except truck to permit the establishment of price classifications and minimum prices for coals prepared at a preparation plant not a part of the mine at which said coals were produced.

In the matter of the petition of District Board No. 4 for the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for all shipments except truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine in which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

The original petition in the above-entitled matter which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 4, and further requested the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

A petition to intervene was filed in this matter on July 2, 1942, by District Board No. 7.

As was found in an Order issued today in Docket No. A-1504, a reasonable showing of necessity has been made for the granting of relief prayed for by the petitioner with certain exceptions stated therein, and except as to that part of the petition requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck. With respect to the establishment of the additional price instruction, it appears that the original petitioner has not set forth sufficient facts to warrant the establishment of said price instruction without a hearing. It appears, therefore, that an adequate showing of necessity has not been made for the granting of temporary relief in the matter of establishing said price instruction.

Now, therefore, it is ordered, That the portion of Docket No. A-1504 relating to the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be, and it hereby is, severed from the remainder of Docket No. A-1504 and designated as Docket No. A-1504, Part II.

It is further ordered, That a hearing in Docket No. A-1504, Part II under the applicable provisions of said Act and the rules of the Division be held on August 7, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On that day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Division proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 1, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and

any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in respect to the petition of District Board No. 4 for the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6637; Filed, July 13, 1942;  
10:30 a. m.]

[Docket No. A-1521]

#### DISTRICT BOARD 7—CRAB ORCHARD IMPROVEMENT CO.

#### NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 7 for changes in the minimum prices and price classifications for the coals of the Eccles No. 5 Mine, Mine Index No. 62, of the Crab Orchard Improvement Company in size groups 1 and 2.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 27, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be ad-



mitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 20, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition of District Board No. 7 requesting a change from "B" classification to an "A" classification in Size Groups 1 and 2 for coals produced by the Eccles No. 5 mine, Mine Index No. 62, of the Crab Orchard Improvement Company.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6636; Filed, July 13, 1942;  
10:30 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Office of the Secretary.

[Memorandum 867 Supp. 2]

#### EXPENDITURE OF CERTAIN FUNDS

Making applicable to the expenditure of funds made available by an Act making appropriations for the Department of Agriculture for the month of July 1942, for continuing the items entitled "Farm Tenancy" and "Loans, Grants, and Rural Rehabilitation", contained in the Department of Agriculture Appropriation Act, 1942, certain orders, rules, regulations, and delegations of authority issued under authority of the Department of Agriculture Appropriation Act, 1942.

By virtue of and pursuant to the authority vested in me by An Act Making Appropriations for the Department of Agriculture for the Month of July 1942 (Public Law 661, approved July 9, 1942, 77th Congress, Second Session), I hereby order and direct that the expenditure of funds appropriated or advanced by or pursuant to said act for continuing the items contained in the Department of Agriculture Appropriation Act, 1942, entitled "Farm Tenancy" and "Loans, Grants, and Rural Rehabilitation", and the administration of all activities conducted with such funds, shall be in accordance with the orders, rules, regulations, and delegations of authority heretofore issued and in effect on June 30, 1942, relating to the expenditure of funds appropriated or advanced to this

Department by or pursuant to the items entitled "Farm Tenancy" and "Loans, Grants, and Rural Rehabilitation", contained in the Department of Agriculture Appropriation Act, 1942, to the extent that such orders, rules, regulations, and delegations of authority are consistent with the provisions of An Act Making Appropriations for the Department of Agriculture for the Month of July 1942. Whenever any authority heretofore granted limited the amount of money which might be expended thereunder, such limit shall be deemed applicable to the total amount to be expended under such authorization out of funds appropriated by prior acts and funds appropriated by or advanced pursuant to An Act Making Appropriations for the Department of Agriculture for the Month of July 1942. Any redelegations of authority in effect on the date of this order shall continue in effect subject to any powers heretofore granted to revoke such redelegations.

When and if an appropriation act for the Department of Agriculture for the fiscal year 1943 is enacted, the provisions of this memorandum, to the extent that they are consistent with such act, shall remain in effect and be applicable to the funds appropriated or advanced thereunder.

The foregoing shall remain in effect until my further order.

Issued as of July 1, 1942.

[SEAL] PAUL H. APPLEBY,  
Acting Secretary.

[F. R. Doc. 42-6613; Filed, July 11, 1942;  
11:34 a. m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

##### NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).  
Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 13, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

#### Apparel

Finkle Coat Mfg. Co., 14 Third St., Chelsea, Massachusetts; Men's & boys leather and wool jackets; 2 learners (T); July 13, 1943.

Lansdale Shirt Factory, 526 N. Broad St., Lansdale, Pennsylvania; Men's cotton shorts; 5 learners (T); January 13, 1943.

Rice Stix Dry Goods Co., Factory #20, Slater, Missouri; Men's & boys underwear of woven fabric; 5 percent (T); July 13, 1943.

#### Single Pants, Shirts, and Allied Garments and Women's Apparel

Ace Corporation, 119 East Front Street, Trenton, New Jersey; Children's dresses; 10 percent (T); July 13, 1943.

Atlantic Pants Mfg. Co., Inc., 1001 Elizabeth Ave., Elizabeth, New Jersey; Single pants; 10 percent (T); July 13, 1943.

The B. V. D. Corp., Cambridge, Maryland; Pajamas, sport shirts; 10 learners (T); July 13, 1943.

The B. V. D. Corp., 527 West Pratt St., Baltimore, Maryland; Underwear, shorts & drawers, sport shirts, pajamas; 10 percent (T); July 13, 1943.

Bilrite Mfg. Co., 200 East Main St., Bound Brook, New Jersey; Infants & children's wear; 10 learners (T); July 13, 1943.

Blue Ridge Shirt Mfg. Co., 114 North Elk Ave., Fayetteville, Tennessee; Work shirts; 58 learners (E); January 13, 1943.

Comfort Corset Corp., 2311 West St., Union City, New Jersey; Corsets, corselettes, girdles, brassieres; 4 learners (T); July 13, 1943.

Day's Tailor-d Clothing, Inc., 2902 A St., Tacoma, Washington; Men's & boys trousers, blazers; 10 percent (T); July 13, 1943.



Kentucky Pants Co., Inc., 130 East Dixie Ave., Elizabethtown, Kentucky; Cotton pants, rayon pants; 10 percent (T); July 13, 1943.

Lark Dress Co., Walnut & Fifth Sts., Shamokin, Pennsylvania; Women's & misses dresses; 20 learners (E); January 13, 1943.

Lin-Bel Dress Co., Inc., 415 63rd St., West New York, New Jersey; Dresses; 5 learners (T); July 13, 1943.

Little Dorothy Dress Co., 369 Hope St., Fall River, Massachusetts; Children's cotton garments; 5 percent (T); July 13, 1943.

McMinnville Garment Co., McMinnville, Tennessee; Men's pants; 10 percent (T); July 13, 1943.

M & G Sportwear Co., 613 Main St., Rockland, Maine; Trousers; 8 learners (T); July 13, 1943.

Nirenberg & Salzman, Inc., North Mohawk St., Cohoes, New York; Officer's cotton shirts U. S. A., dress & polo shirts; 30 learners (E); January 13, 1943.

Raritan Mfg. Co., State St., Perth Amboy, New Jersey; Shirts; 5 percent (T); July 13, 1943.

Ritmore Sportswear Co., 1220 West Sixth Ave., Cleveland, Ohio; Dresses, skirts, slacks; 5 learners (T); July 13, 1943.

Y. Rosen & Son, 180 Central Ave., Newark, New Jersey; Children's dresses; 10 percent (T); July 13, 1943.

Southeastern Mfg. Co., Lumpkin St., Monroe, Georgia; U. S. Army trousers; 10 percent (T); July 13, 1943.

The Sterling Co., 1723 North Washington St., Kokomo, Indiana; Dresses—cotton & rayon, nightwear—flannelette, women's industrial cotton; 10 percent (T); July 13, 1943.

Topps Mfg. Co., 501-505 Main St., Rochester, Indiana; Work pants, shirts & coveralls; 20 learners (E); January 13, 1943.

Trafalgar Shirt Co., 201 North Penn St., York, Pennsylvania; Men's dress shirts; 20 learners (E); January 13, 1943.

Roland Weinbaum Inc., 4 Brooks Ave., Quincy, Massachusetts; Ladies' housecoats; 5 learners (T); July 13, 1943.

Zulicks Underwear Mill, 128 Center Ave., Schuylkill Haven, Pennsylvania; Rayon underwear & Sportswear; 5 learners (T); July 13, 1943.

#### Gloves

Menominee Glove Co., Sheridan Road, Menominee, Michigan; Leather dress gloves; 50 learners (E); January 13, 1943.

Springfield Knitting Mills Co., 36 New Dwight St., Springfield, Massachusetts; Knit wool gloves; 20 learners (E); January 13, 1943.

#### Hosiery

Apex Hosiery Co., Inc., Fifth & Luzerne Sts., Philadelphia, Pennsylvania; Full-fashioned hosiery; 10 percent (T); July 13, 1943. (This certificate replaces the present certificate for 5 percent bearing the expiration date of November 13, 1942.)

Cherokee Hosiery Mill, 242 Highland Ave., Hickory, North Carolina; Full-fashioned hosiery; 5 learners (T); January 13, 1943.

Conover Knitting Co., Conover, North Carolina; Seamless hosiery; 5 percent (T); July 13, 1943.

Conover Knitting Co., Ashe Ave., Newton, North Carolina; Seamless hosiery; 5 percent (T); July 13, 1943.

Crystal Hosiery Mill, Peacock Ave., Denton, North Carolina; Seamless hosiery; 5 learners (T); July 13, 1943.

Dayton Hosiery Mills, Dayton, Tennessee; Seamless hosiery; 17 learners (E); March 13, 1943.

Efland Knitting Co., Efland, North Carolina; Seamless hosiery; 5 learners (T); July 13, 1943.

Elizabeth James Mills #2, Logan St., Marion, North Carolina; Full-fashioned hosiery; 10 learners (T); March 13, 1943.

Finer Full Fashioned Hosiery Co., Inc., Route #3, Charlotte, North Carolina; Full-fashioned hosiery; 5 learners (T); July 13, 1943.

Gold Seal Knitting Mills, 4th & Bern Sts., Reading, Pennsylvania; Full-fashioned hosiery; 2 learners (T); January 13, 1943.

Hiwassee Hosiery Mill, Inc., Edwards St., Cleveland, Tennessee; Seamless hosiery; 10 learners (T); July 13, 1943. (This certificate replaces the one for 5 learners bearing the expiration date of October 16, 1942.)

Mock, Judson, Voehringer Co., of North Carolina, Inc., Howard & Hiatt Sts., Greensboro, North Carolina; Full-fashioned hosiery; 5 percent (T); July 13, 1943.

Montgomery Knitting Mill, Commerce St., Summerville, Georgia; Seamless hosiery; 10 percent (T); July 13, 1943. (This certificate replaces the one for 5 percent bearing the expiration date of October 9, 1942.)

Mountain Hosiery Mills, Englewood, Tennessee; Seamless hosiery; 5 learners (T); July 13, 1943.

Paul Knitting Mills, Commerce at La Grange, Pulaski, Virginia; Seamless hosiery; 10 percent (T); July 13, 1943.

Philadelphia Hosiery Mills, Philadelphia, Tennessee; Seamless hosiery; 5 percent (T); July 13, 1943.

Scott Hosiery Mills, Inc., Richboro Road, Newton, Pennsylvania; Full-fashioned hosiery; 3 learners (T); July 13, 1943.

Wrenn Hosiery Co., Liberty Drive, Thomasville, North Carolina; Seamless hosiery; 30 learners (E); March 13, 1943.

Yorkshire Hosiery Co., 213 North 10th St., Reading, Pennsylvania; Seamless hosiery; 5 learners (T); July 13, 1943.

#### Knitted Wear

The Ford Mfg. Co., 123 Second St., Waterford, New York; Knitted underwear; 5 percent (T); July 13, 1943.

Jasco Knitting Mills Co., 165 Green St., New York, New York; Commercial knitting; 1 learner (T); July 13, 1943.

Nescopeck Knitting Mills, 213 W. Third St., Nescopeck, Pennsylvania; Knitted outerwear; 10 learners (T); July 13, 1943.

#### Millinery

Frank M. Borel Co., 251 Post St., San Francisco, California; Custom-made millinery; 2 learners (T); November 13, 1942.

#### Textile

Bernson Silk Mills Inc., Buena Vista, Virginia; Silk, rayon & nylon fabrics; 15 learners (E); January 13, 1943.

The Duplan Corp., 1245 White St., Winston-Salem, North Carolina; Manufacturing and processing of yarn or thread; 120 learners (E); January 13, 1943.

Gosnold Mills Corp., South Orchard St., New Bedford, Massachusetts; Cotton, rayon; 45 learners (T); July 13, 1943.

Jefferson Mills, Inc., Pulaski, Virginia; Nylon, rayon & silk; 3 percent (T); July 13, 1943.

Micolas Cotton Mills, Opp, Alabama; Cotton yarns and cloth; 3 percent (T); July 13, 1943.

Mock, Judson, Voehringer Co., of North Carolina, Inc., Howard & Hiatt Sts., Greensboro, North Carolina; processing yarn and thread; 3 percent (T); July 13, 1943.

Modern Throwing Co., Division, Bridge & Goepp Sts., Bethlehem, Pennsylvania; Throwing of silk, rayon and nylon yarns; 6 percent (T); July 13, 1943.

Pilot Mills Co., 1100 North Wilmington St., Raleigh, North Carolina; Cotton; 3 percent (T); July 13, 1943.

R. & G. Silk Throwing Co., Inc., Iron St., Bloomsburg, Pennsylvania; Silk & rayon; 3 learners (T); July 13, 1943.

Shannock Narrow Fabric Co., Bacon St., Pawtucket, Rhode Island; Cotton, rayon, nylon; 3 percent (T); July 13, 1943.

Whitley Cotton Mills, Inc., Clayton, North Carolina; Cotton; 3 percent (T); July 13, 1943.

Signed at New York, N. Y., this 11th day of July 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-6041; Filed, July 13, 1942;  
10:53 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6361]

#### MICHIGAN BELL TELEPHONE COMPANY

INVESTIGATION OF RATES FOR RADIOTELEPHONE SERVICE THROUGH STATIONS WFR, WFS, AND WFW

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 7th day of July, 1942;

It appearing that there have been filed with the Commission tariffs containing schedules stating new charges, classifications, regulations and practices for and in connection with radiotelephone service through Michigan Bell Telephone Company's Detroit, Michigan, coastal harbor stations WFR, WFS, and WFW; which tariffs were effective on the 29th day of June, 1942; and which are contained in Michigan Bell Telephone Company Tariff F. C. C. No. 3;

It further appearing that the said tariff schedules state, certain charges, classifications, regulations and practices for and



in connection with such radiotelephone service which may be unjust and unreasonable and which may injuriously affect the interests of the public;

*It is ordered,* That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of Michigan Bell Telephone Company for and in connection with the radiotelephone service through coastal harbor stations WFR, WFS, and WFV;

*It is further ordered,* That Michigan Bell Telephone Company be, and the same is hereby, made respondent to this proceeding, and said respondent shall show cause, under oath, (1) why its regulations providing for payments of a part of its radio link charges to the vessels involved, as stated in its Tariff F. C. C. No. 3, should not be ordered rescinded and cancelled, and (2) why its radio link charges for radiotelephone service through coastal harbor stations WFR, WFS, and WFV should not be ordered to be made uniform for communications with vessels at all points; and said respondent shall file with the Commission its verified answer to this order on or before thirty days from the date of service of this order;

*It is further ordered,* That the respondent, Michigan Bell Telephone Company, shall file concurrently with such answer, its verified statement setting forth the following information in detail:

(1) The factors, circumstances, and estimates of revenues, expenses, and investment on which the respondent based its determination of the rates, charges, classifications, regulations, practices and services for and in connection with radiotelephone service through its coastal harbor stations WFS, WFR, and WFV, as established and published by it in its Tariff F. C. C. No. 3;

(2) An estimate of the annual revenues expected to be received from the rendition of telephone radio link service through its coastal harbor stations WFS, WFR, and WFV, classified as to whether attributable to General Service, Dispatching Service, and other services;

(3) An estimate by main account classifications of the annual direct expenses expected to be incurred in the rendition of such radio link service, such direct expenses being defined as the expenses incurred solely because of the rendition of such service and which would not be incurred but for such rendition;

(4) An estimate by main account classifications of such portion of the joint expenses expected to be incurred as may be properly allocable to the rendition of such radio link service, showing in detail the bases and methods of all allocations, such joint expenses being defined as expenses which cannot be identified as direct expenses attributable solely to any particular service;

(5) The estimates of annual depreciation expense, required by paragraphs (3)

and (4) above, shall be accompanied by a statement of supporting detail, if available, as to estimated service lives, remaining lives, expired lives, and salvage; and all estimates of other expenses required by such paragraphs shall be accompanied by a statement of supporting detail as to the facts on which such estimates were based;

(6) The direct investment made by respondent, as of the most recent date available, for the purpose of rendering such radio link service, such direct investment being defined as the original cost of facilities used solely because of the rendition of such service and which would not be used but for such rendition;

(7) Such portion of the joint investment made by respondent, as of the same date as in paragraph (6) above, as may be properly allocable to the rendition of such radio link service, showing in detail the bases and methods of allocations, such joint investment being defined as the original cost of facilities used in the rendition of such service which cannot be identified as direct investment attributable solely to any particular service;

(8) An estimate, if available, of the depreciation and amortization reserve requirements applicable respectfully to such direct and such joint investment as are given in response to paragraphs (6) and (7) above;

(9) The accumulated depreciation reserve, estimated if not known, associated respectively with such direct and such joint investment as are given in response to paragraphs (6) and (7) above, as of the same date as in paragraph (6) above;

(10) If any of the statements of expenses and investment, as are given in response to paragraphs (3), (4), (5), (6), and (7), above, include amounts paid or to be paid an affiliate, respondent shall furnish a complete detailed statement showing:

(a) The name of the affiliate;

(b) The kind and character of affiliation;

(c) The cost to the affiliate of the specific services or facilities furnished to respondent for such payment; the term affiliate being defined as any corporation directly or indirectly controlling or controlled by, or under direct or indirect common control with, respondent, by means of voting stock or otherwise;

*It is further ordered,* That a copy of this order shall be served upon Michigan Bell Telephone Company and all other carriers participating in the telephone service rendered through coastal harbor stations WFR, WFS, and WFV; and that said participating carriers be and they are hereby, each made a party respondent to this proceeding; and

*It is ordered,* That this proceeding be and the same is hereby assigned for hearing at 10 a. m. on the 12th day of August, 1942, at the offices of the Federal

Communications Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6812; Filed, July 11, 1942; 11:37 a. m.]

## FEDERAL POWER COMMISSION.

[Docket Nos. IT-5540, IT-5619, IT-5625, IT-5597, IT-5608]

ARKANSAS POWER & LIGHT CO., ET AL  
ORDER DISMISSING ORDERS TO SHOW CAUSE  
JULY 7, 1942.

In the Matter of Arkansas Power & Light Company, Duquesne Light Company, Florida Power Corporation, Louisville Gas & Electric Company, and New Orleans Public Service Company.

It appearing to the Commission that:

(a) Orders were adopted directing Arkansas Power & Light Company, Duquesne Light Company, Florida Power Corporation, Louisville Gas & Electric Company and New Orleans Public Service Company to show cause under oath or at a public hearing why said companies had failed to comply with Electric Plant Accounts Instruction 2-D of the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees and its Order of May 11, 1937, requiring the filing of reclassification of accounts and original cost studies and why the Commission should not institute appropriate proceedings against them for their failure to comply with Instruction 2-D and the Order of May 11, 1937, as follows:

### Date of order and company

January 17, 1939; Arkansas Power & Light Co.  
February 7, 1940; Louisville Gas & Electric Co.  
April 16, 1940; Duquesne Light Co.  
April 16, 1940; Florida Power Corporation.  
April 16, 1940; New Orleans Public Service Co.

(b) Subsequent to the adoption of the orders to show cause, the Commission was advised that the reclassification of accounts and original cost studies were to be filed, whereupon the matters set down for hearing were postponed *sine die*;

(c) The reclassification of accounts and original cost studies have been filed by the above-named companies.

The Commission orders that: The orders to show cause referred to in paragraph (a) hereof be and the same are hereby dismissed: *Provided, however,* That this action shall not be construed as approving the figures contained in the reclassification of accounts and original cost studies: *And provided further,* That the Commission reserve the full right to make such examination and analysis of the studies submitted including examination of the books and other documents in the possession of the companies named herein as the Commission may deem war-



ranted, and to order such adjusting entries as may be appropriate.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 42-6594; Filed, July 11, 1942;  
10:13 a. m.]

# INTERSTATE COMMERCE COMMISSION.

NOTICE TO ALL FREIGHT FORWARDERS WHO ARE, OR MAY BE, SUBJECT TO PART IV OF THE INTERSTATE COMMERCE ACT

JULY 13, 1942.

Inclosed herewith are 2 copies of an order of the Commission entered by Division 4 on July 3, 1942, prescribing the form to be used by freight forwarders in applying for permits under the provisions of sections 410 and 411 of the Interstate Commerce Act.<sup>1</sup> Also inclosed are 2 copies each of the application form FF1 and the form of notice, FF2.<sup>2</sup>

The order requires that an original and four copies of the application be filed with the Commission, that one copy be served on the Governor of each State in which the freight forwarder proposes to operate, and that a copy of the notice be served on each known freight forwarder competitor. Additional copies of the forms of application and notice will be sent upon request. Applicants may print or typewrite copies of these forms in accordance with the General Instructions, and should do so in all cases in which more than 10 copies are needed.

Attention is directed to the fact that freight forwarders who were in operation on May 16, 1942, must file applications for permits on or before November 12, 1942, which is 180 days after May 16, in order to continue to operate lawfully prior to the issuance of a permit. The applications must be received at this Commission on or before November 12, 1942, not merely mailed by that date.

Section 416 (a) of the act requires all freight forwarders subject to the act to designate an agent upon whom service of all notices, orders, and processes may be made in proceedings before the Commission. There is likewise inclosed a form which may be used for this purpose.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 42-6644; Filed, July 13, 1942;  
11:51 a. m.]

<sup>1</sup> See Title 49, Part 410, *supra*.

## OFFICE OF PRICE ADMINISTRATION.

A. J. LINDEMANN & HOVERSON Co.

### APPROVAL OF MAXIMUM PRICE

Order No. 9 Under Revised Price Schedule No. 64<sup>1</sup>—Domestic Cooking and Heating Stoves.

On May 12, 1942, A. J. Lindemann & Hoverson Co., Milwaukee, Wisconsin, filed an application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of a maximum price for an oil range, designated in the application as Model E-596.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) A. J. Lindemann & Hoverson Co. may sell, offer to sell or deliver Model E-596 at a price no higher than \$27.22, f. o. b. factory, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum price of Model D-595, as established under Revised Price Schedule No. 64.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 9 shall become effective on the 13th day of July 1942.

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6625; Filed, July 11, 1942;  
12:53 p. m.]

### [Administrative Order 22]

MERLE FAINSOD

#### AUTHORIZATION TO ACT FOR ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) Merle Fainsod is hereby authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator, for the purpose of issuing orders disposing of petitions or applications filed by a supplier of a service under § 1499.19 of the General Maximum Price Regulation,<sup>2</sup> by dismissing the same

<sup>1</sup> 7 F.R. 1329, 1836, 2000, 2132, 4404.

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4654, 4738, 5027.

without prejudice to the right of the applicant to take further action or by dismissing the same and transferring them to other dockets.

(b) Any order issued by said Merle Fainsod pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6626; Filed, July 11, 1942;  
12:54 p. m.]

## BOSTON STOVE FOUNDRY COMPANY

### APPROVAL OF MAXIMUM PRICES

Order No. 10 Under Revised Price Schedule No. 64<sup>1</sup>—Domestic Cooking and Heating Stoves.

On March 16, 1942, Boston Stove Foundry Company, Reading, Massachusetts, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for two combination gas, coal and oil stoves, designated in the application as Models Nos. 620 and 624.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register.<sup>2</sup> For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Boston Stove Foundry Company may sell, offer to sell or deliver Models Nos. 620 and 624 at prices no higher than those specified:

Model No. 620----- \$102.91 f. o. b. factory.  
Model No. 624----- \$117.23 f. o. b. factory.

subject to discounts, allowances and terms (including prepayment of freight) no less favorable than those in effect with respect to the maximum prices of Models Nos. 862 and 864, respectively, as established under § 1356.1 of Revised Price Schedule No. 64.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 10 shall become effective on the 13th day of July 1942.

Issued this 11th day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6657; Filed, July 13, 1942;  
12:16 p. m.]

<sup>1</sup> 7 F.R. 1329, 1836, 2000, 2132, 4404.

<sup>2</sup> Copies obtainable from the Office of Price Administration.



## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-413]

PUBLIC SERVICE CO. OF OKLAHOMA, ET AL.

## NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July, A. D. 1942.

In the Matter of Public Service Company of Oklahoma, Southwestern Light & Power Company, and Peoples Ice Company.

The Commission having heretofore on the 24th day of December, 1941 issued its order permitting a declaration to become effective pursuant to section 7 of the Act regarding the issue and sale by Peoples Ice Company to Public Service Company of Oklahoma and Southwestern Light & Power Company (subsidiaries of The Middle West Corporation, a registered holding company) of promissory notes in the amounts of \$1,462,500 and \$625,500 respectively, bearing no interest, to be dated December 15, 1941 and maturing February 15, 1942, such order being subject to the condition that failing payment of the notes at maturity on February 15, 1942 such notes would be surrendered and cancelled by Public Service Company of Oklahoma and Southwestern Light & Power Company; and

Public Service Company of Oklahoma, Southwestern Light & Power Company and Peoples Ice Company now having filed a supplemental declaration and application (or both) on April 1, 1942, proposing that such companies enter into an agreement extending the maturity of such notes to December 31, 1943, and an amendment thereto having been filed on June 18, 1942, notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said supplemental declaration or application (or both), as amended, and that said supplemental declaration shall not become effective or that said supplemental application be granted except pursuant to further order of the Commission and that at said hearing there be considered, among other things, the various matters hereinafter set forth;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 28, 1942 at 10-o'clock A. M. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that

purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said supplemental declaration or application, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the extension of the maturity of said notes is solely for the purpose of financing the business of Peoples Ice Company and, if so, whether it is appropriate in the public interest or for the protection of investors or consumers that terms and conditions be imposed with respect to such extension.

2. Whether the proposed extension of maturity and the security to be issued is reasonably adapted to the security structure of Peoples Ice Company and other companies in The Middle West Corporation holding company system.

3. Whether the proposed extension and security to be issued is reasonably adapted to the earning power of Peoples Ice Company.

4. Whether the terms and conditions of the extension of maturity are detrimental to the public interest or the interest of investors or consumers.

5. Whether the acquisition of the securities by Public Service Company of Oklahoma and Southwestern Light & Power Company will be detrimental to the carrying out of the provisions of section 11 of the Act.

6. Whether the acquisition of the securities by Public Service Company of Oklahoma and Southwestern Light & Power Company will serve the public interest by tending toward the economic and efficient development of an integrated public utility system.

7. Whether the condition providing for the surrender and cancellation of such notes recited in the order of December 24, 1941, should be modified.

It is further ordered, That any person desiring to be heard at such hearing shall file with the Secretary of the Commission on or before the 23rd day of July, 1942 his application therefor as provided by Rule XVII of the Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-6595; Filed, July 11, 1942;  
10:13 a. m.]

[File No. 812-278]

## THE LEHMAN CORPORATION

## NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July, A. D. 1942.

An application having been filed by The Lehman Corporation pursuant to section 10 (e) of the Investment Com-

pany Act of 1940 for an order suspending until August 20, 1942, the operation of the provisions of section 10 to which reference is made in section 10 (e);

It is ordered, That a hearing on the aforesaid application be held on July 17, 1942, at ten o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held.

It is further ordered, That Robert P. Reeder, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside on such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-6596; Filed, July 11, 1942;  
10:13 a. m.]

[File No. 70-568]

## EDISON SAULT ELECTRIC CO.

## NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by Edison Sault Electric Company pursuant to the Public Utility Holding Company Act of 1935 and particularly section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder. All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Edison Sault Electric Company, a subsidiary of American States Utilities Corporation, a registered holding company, proposes to issue and sell to three insurance companies \$990,000 principal amount of First Mortgage Bonds, Series A 3¾%, due July 1, 1972, at 104. The expenses of the transaction are estimated at \$61,809, of which amount \$36,920 is a premium payable on the redemption of outstanding bonds, referred to hereinafter, and \$10,000 is a selling agents' fee or commission to be paid to Battles & Co., Inc., Smith, Landeryou & Co., and White, Weld & Co. The company proposes to apply the proceeds as follows: (a) \$923,000 (apart from the premium of \$36,920 hereinabove referred



to) to redeem presently outstanding First Mortgage Sinking Fund Bonds, Series A 4½% and Series B 4½% due October 1, 1961; (b) \$42,500 to reduce short term bank loans now outstanding in the amount of \$142,500; and (c) \$2,300 (balance) to be paid into the treasury of the company.

The company seeks to have the proposed issuance and sale of the bonds exempted from Rule U-50 (b) and (c) by virtue of Rule U-50 (a) (5) and seeks to have its application for such exemption acted upon prior to its application for exemption of the proposed sale of the bonds pursuant to section 6 (b). The company states that its principal generating unit is a hydro-electric generating plant located at Sault Ste. Marie, Michigan which is owned by the United States of America, and that its present occupancy is as a tenant at will, a thirty-year lease having expired June 30, 1942. The company further states that in view of its tenancy status the salability of the bonds to the public is seriously impaired. The company also estimates that costs incident to a public sale would be about \$11,000 more than the proposed refunding plan.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and rules of the Commission thereunder be held on July 29, 1942, at 10:00 o'clock A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing-room clerk in Room 318. At such hearing, cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration or application otherwise to be considered in this proceeding, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of the bonds are solely for the purpose of financing the business of the company.

(2) Whether the proposed issuance and sale of the bonds have been expressly authorized by the state commission of the state in which the company is organized and doing business.

(3) Whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in any order granting an exemption of the issue and sale of the bonds from the provisions of section 6 (a) of the Act.

(4) Whether it is appropriate in the public interest or for the protection of investors or consumers that the proposed issue or sale of the bonds be excepted from the scope of Rule U-50.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-6597; Filed, July 11, 1942;  
10:14 a. m.]

[File Nos. 54-50; 59-39; 59-10]

**NORTH AMERICAN LIGHT & POWER CO. ET AL.  
ORDER GRANTING APPLICATIONS SUBJECT TO  
CONDITIONS**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July, A. D. 1942.

In the Matter of North American Light & Power Company; North American Light & Power Company Holding Company System and The North American Company, and The North American Company, et al.

The Commission having directed, by an order entered in these proceedings on December 30, 1941, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that North American Light & Power Company be liquidated and its existence terminated;

Said order having further directed that said company and The North American Company proceed with due diligence to submit to this Commission a plan or plans for the prompt liquidation of North American Light & Power Company and the termination of its existence, in a manner consistent with the provisions of said Act;

The Commission having in said order expressly reserved jurisdiction to enter such further orders in these proceedings as may be necessary or appropriate for the purpose of carrying out the steps required by section 11 of said Act and said order of December 30, 1941;

North American Light & Power Company having filed two applications herein designated as Applications Nos. 1 and 2; a hearing having been held; and the Commission being fully advised in the premises and having this day issued and filed its findings and opinion herein;

Now, therefore, on the basis of said findings and opinion, and pursuant to the applicable provisions of said Act, the applicable rules thereunder, and the Commission's said order of December 30, 1941,

It is ordered, That the plan proposed in Application No. 1, with respect to the dissolution and complete liquidation of

Power & Light Securities Company, be and it hereby is approved as submitted, and that said application be and it hereby is granted subject to the provisions of Rule U-24.

Further ordered, That the plan proposed in Application No. 2, with respect to the liquidation and payment at principal and accrued interest of the \$3,376,500 principal amount of publicly held debentures of North American Light & Power Company, be and it hereby is approved subject to the following conditions:

(1) That interest shall not cease to accrue on said publicly held debentures as of July 1, 1942, but shall cease to accrue thereon not less than 30 days following initial publication of appropriate notice designating the date on which interest shall cease to accrue; and

(2) That North American Light & Power Company shall submit for the approval of this Commission an amended form of notice to be given as contemplated by paragraph (1) above, together with a statement of the manner in which such notice is to be given.

Further ordered, That North American Light & Power Company be and it hereby is directed to carry out with due diligence and expedition the transactions proposed in Application No. 1 as submitted and the transactions proposed in Application No. 2 as modified herein.

Further ordered, That North American Light & Power Company and The North American Company be and they hereby are authorized and directed as soon as practicable to submit to the Commission for its approval such further plan or plans as may be necessary or appropriate for compliance with the Commission's aforesaid order of December 30, 1941.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-6593; Filed, July 11, 1942;  
10:13 a. m.]

[File Nos. 59-17; 59-11; 54-25]

**THE UNITED LIGHT AND POWER CO., ET AL.  
NOTICE OF FILING OF APPLICATION AND ORDER  
RECONVENING HEARING**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 10th day of July 1942.

In the Matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, File No. 59-17; The United Light and Power Company and Its Subsidiary Companies, Respondents, File No. 59-11; and The United Light and Power Company, Applicant, File No. 54-25.

The Commission having previously, by order dated March 20, 1941 entered in these proceedings, directed, among other things, the liquidation and dissolution of



The United Light and Power Company and said order having required the respondents to proceed with due diligence to comply therewith and to make application to the Commission for the entry of such further orders as may be necessary or appropriate for such purpose; and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate with respect to other matters in these proceedings; and the Commission having on April 9, 1942, granted the respondents herein an extension of one year within which to comply with said order of March 20, 1941;

Notice is hereby given that The United Light and Power Company and its subsidiary company, The United Light and Railways Company, both registered holding companies, have filed with this Commission applications and declarations, designated as "Application No. 14", pursuant to sections 11 (b) (1), 11 (b) (2) and 11 (e) of the Act and any other applicable sections of the Act or Rules thereunder, with respect to various proposed transactions in connection with a Plan providing for the completion of the liquidation and dissolution of The United Light and Power Company. All interested persons are referred to Application No. 14 which is on file in the offices of the Commission for a full statement of the transactions therein proposed, which are summarized below:

1. The authorized Common Stock of The United Light and Railways Company now consisting of 1,000,000 shares of \$35 par value will be increased to 4,000,000 shares of Common Stock of \$6 par value, each share to have one vote.

2. The outstanding 708,520 shares of Common Stock of The United Light and Railways Company, all owned by The United Light and Power Company, will be exchanged for 3,947,677 shares of the new Common Stock.

3. The amount of outstanding capital represented by the outstanding Common Stock of The United Light and Railways Company will be reduced from \$24,798,200 to \$23,686,062 and the difference of \$1,112,138 will be credited to paid-in surplus.

4. The new Common Stock of The United Light and Railways Company will be distributed to the stockholders of The United Light and Power Company in complete liquidation of their rights as such stockholders on the following basis:

(a) Six shares of the Common Stock of The United Light and Railways Company of the par value of \$6 per share shall be distributed to the holder of each share of the \$6 Cumulative Preferred Stock of The United Light and Power Company;

(b) One-tenth of a share of the Common Stock of The United Light and Railways Company of the par value of \$6 per share shall be distributed to the holder of each share of the Class A Common Stock of The United Light and Power Company; and

(c) One-tenth of a share of the Common Stock of The United Light and

Railways Company of the par value of \$6 per share shall be distributed to the holder of each share of the Class B Common Stock of The United Light and Power Company.

On the foregoing basis the new Common Stock of The United Light and Railways Company will be divided among the stockholders of The United Light and Power Company substantially as follows:

(a) 91.20% to the Preferred Stockholders;

(b) 6.13% to the Class A Common Stockholders; and

(c) 2.67% to the Class B Common Stockholders.

5. Each Common stockholder of The United Light and Power Company entitled to a fraction of a share of the Common Stock of The United Light and Railways Company shall receive, in lieu thereof, non-interest bearing, non-dividend bearing and non-voting scrip in bearer form to be issued by The United Light and Railways Company. Scrip, when sufficient to aggregate one or more full shares, may be surrendered to The United Light and Railways Company, prior to but not after July 1, 1944, in exchange for full shares of Common Stock of The United Light and Railways Company. After July 1, 1944, scrip not surrendered shall be entitled to no rights whatsoever.

6. The right of stockholders of The United Light and Power Company to receive common stock or scrip certificates of The United Light and Railways Company shall expire July 1, 1944.

7. Upon the entry by the Commission of an order approving the proposed Plan and requiring its consummation, and until the distribution date (defined in paragraph 8 below), the general voting power now vested exclusively in the holders of Class B Common Stock of The United Light and Power Company shall be distributed among all three classes of stockholders according to the basis of exchange heretofore set forth.

8. As soon as practicable after the Commission has entered an order approving the Plan and requiring its consummation, The United Light and Power Company shall request the Commission, pursuant to section 11 (e) of the Act, to apply to a Federal court to enforce and carry out the terms and provisions of the Plan. If the court shall approve the Plan as fair and equitable and shall enter a decree enforcing the Plan and requiring its consummation, the distribution of Common Stock and scrip of The United Light and Railways Company to the stockholders of The United Light and Power Company in accordance with the Plan shall be made on and after the thirtieth day following the date on which such court decree becomes final and is no longer subject to judicial review. The date upon which such distribution shall be commenced is herein referred to as the "distribution date."

9. All funds and assets of The United Light and Power Company of whatever character remaining after payment of its liabilities and expenses will be contributed by The United Light and Power

Company to the paid-in surplus of The United Light and Railways Company.

10. As soon as practicable after the distribution date, The United Light and Power Company shall be dissolved.

The applicants request the Commission to enter an order

(a) finding that the Plan is necessary to effectuate the provisions of section 11 (b) of the Act and to enable The United Light and Power Company to comply with the Commission's order of March 20, 1941, and is fair and equitable to the persons affected by the Plan;

(b) approving the Plan and authorizing, directing, and requiring The United Light and Power Company and The United Light and Railways Company to consummate the Plan without the necessity of obtaining any further authorization from the Commission with respect to any action contemplated thereby; and

(c) providing that the holders of the Preferred and Common Stocks of The United Light and Power Company shall have only the rights specifically set forth in the Plan and that all other rights of such stockholders shall cease and become void.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that the hearings herein be reconvened for the purpose of considering Application No. 14,

*It is ordered*, That the hearings in this proceeding be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk in Room 318, at 10:00 A. M. on the 4th day of August 1942. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by our Rules of Practice, Rule XVII, on or before August 1, 1942. At said reconvened hearing on that day the issues will be limited to a consideration of the matters presented by Application No. 14.

*It is further ordered*, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to assert all powers granted to the Commission under section 18 (c) of the Act and to the trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed action is necessary to effectuate the provisions of section 11 (b) of the Act and the Commission's Orders of March 20 and August 5, 1941 in these proceedings;

2. Whether the proposed Plan is fair and equitable to the persons affected thereby;

3. Whether the proposed capital structure of The United Light and Railways Company meets the standards of the applicable sections of the Act;



4. Whether the proposed increase and distribution of the new shares of Common Stock will unduly complicate the structure, or unfairly or inequitably distribute voting power among the security holders, of the holding-company system or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding-company system;

5. Whether the terms and conditions with respect to the proposed distribution of the new Common Stock, including the basis of its allocation among the stockholders of The United Light and Power Company, are appropriate and consistent with the applicable standards of the Act;

6. Whether the accounting entries proposed to be recorded are appropriate and in accordance with sound accounting principles and practice;

7. Whether the fees and expenses to be paid, directly or indirectly, in connection with any of the proposed transactions are for necessary service and are reasonable in amount;

8. In the event the Commission finds the proposed transactions generally appropriate, what terms and conditions, if any, should be imposed;

9. Generally, whether the proposed transactions are in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the Rules thereunder.

*It is further ordered*, That notice of this reconvened hearing is hereby given to all stockholders of The United Light and Power Company and to all other persons and that a copy of this notice shall be mailed to all persons who have entered their appearance herein and that publication of this notice shall be made in the FEDERAL REGISTER.

*It is further ordered*, That the limiting of the matters to be considered at said reconvened hearing to the issues presented by Application No. 14 shall be without prejudice to the subsequent consideration in these proceedings of other issues under the applicable provisions of the Act and the Rules.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-6599; Filed, July 11, 1942;  
10:14 a. m.]

[File No. 70-565]

**THE UNITED GAS IMPROVEMENT COMPANY  
ORDER GRANTING APPLICATION AND PERMITTING  
DECLARATION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July 1942.

The United Gas Improvement Company, a Pennsylvania corporation and a registered holding company, having filed an application and declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of

1935, particularly sections 10 and 12 (b) thereof, and Rule U-45 promulgated thereunder, regarding an advance of \$454,000 with interest at 3% per annum, to The Philadelphia Gas Works Company, its wholly-owned subsidiary, which in turn proposes to expend a like amount in connection with its operation (through a lease arrangement) of the municipal gas properties and facilities owned by the City of Philadelphia. It is represented that such funds are to be used for additions to existing plant and distribution facilities required for industries manufacturing war materials and for government housing projects. It is anticipated that the amount so advanced, together with interest thereon, will be included in the expenses of operating the said municipal gas properties and will be recovered by The Philadelphia Gas Works Company and in turn by The United Gas Improvement Company through charges in the price of gas over a period not exceeding five years; and

Said application and declaration having been filed June 19, 1942, and an amendment thereto having been filed on June 24, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Said party having requested that the effective date of said application and declaration be advanced; and

The Commission finding with respect to said application under section 10 of said Act that in so far as applicable, no adverse findings are necessary under sections 10 (b) and 10 (c) (1), and that the proposed transaction has the tendency required in section 10 (c) (2); and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration pursuant to section 12 (b) and Rule U-45 promulgated thereunder to become effective, and

The Commission being satisfied that the effective date of said declaration and the date of granting said application should be advanced;

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be and the same hereby is granted forthwith and that the aforesaid declaration be and the same is hereby permitted to become effective forthwith; however neither the granting of this application nor permitting the declaration to become effective shall be construed as prejudicing any action the Commission may deem appropriate or necessary to take in respect to the guaranty of The United Gas Improvement Company of the lease arrangement between The Philadelphia Gas Works Company and the City of Philadelphia or relative to the future status under Section 11 of the Act, of The Philadelphia Gas

Works Company in The United Gas Improvement Company holding company system.

By the Commission (Commissioner Healy being absent and not participating).

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-6623; Filed, July 13, 1942;  
10:12 a. m.]

[File No. 70-562]

**GREENWICH WATER COMPANY AND GREENWICH  
WATER SYSTEM, INC.**

**ORDER PERMITTING APPLICATION AND DECLARATION  
TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July, A. D. 1942.

Greenwich Water System, Inc., and its subsidiary Greenwich Water Company, both indirect subsidiaries of American Water Works and Electric Company, Incorporated, a registered holding company, having filed joint applications and declarations, with amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 10 and 12 thereof and Rules U-42, U-43, and U-49 promulgated thereunder regarding the sale by Greenwich Water Company of 11,400 shares of its common capital stock, \$25 par value per share, to its parent Greenwich Water System, Inc. for \$285,000 cash and Greenwich Water Company's retirement of its total note indebtedness in the principal amount of \$285,000 held by Greenwich Water System, Inc., and

Said joint applications and declarations having been filed on June 1, 1942, and certain amendments having been filed thereto, the last of said amendments having been filed on June 25, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said joint declarations and applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the said applications, as amended, pursuant to Rules U-43 and U-49, and to permit the said declarations, as amended, to become effective, pursuant to Rules U-42 and U-43, and the Commission finding with respect to said application for the acquisition of the common stock that no adverse findings are necessary under section 10 (b), section 10 (c) (1), and section 10 (f), and that section 10 (c) (2) is not applicable; and finding with respect to said application for the issuance and sale of the common stock that the exemption in the third sentence of section 6 (b) applies; and



finding with respect to the declarations for the issuance and acquisition of the common stock and the retirement and sale of the notes that the requirements of sections 12 (c) and 12 (f) are satisfied;

*It is hereby ordered,* Pursuant to Rule U-23 and the applicable provisions of said

Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications, as amended, be and hereby are granted forthwith and that the aforesaid declarations, as amended, be and hereby are permitted to become effective forthwith.

By the Commission (Commissioner Healy being absent and not participating).

[SEAL]

ORVAL L. DuBOIS,  
*Secretary.*

[F. R. Doc. 42-6628; Filed, July 13, 1942;  
10:13 a. m.]